

Board of County Commissioners

Leon County, Florida

Policies

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Board of County Commissioners
Leon County, Florida

Policy No. 79-11

Title: Consent Agenda

Date Adopted: December 18, 1979

Effective Date: December 18, 1979

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

An Item may be included in the Agenda of any meeting of the Board of County Commissioners of Leon County, Florida, entitled "Consent Agenda." For purpose of convenience and for expediting the Board meetings, matters of business of a repetitive and/or routine nature may be included in the Consent Agenda, and all such matters of business contained in the Consent Agenda shall be voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate and for a vote upon the request of any Leon County Commissioner. In such case, the excluded matter of business shall be severable from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda shall be voted on collectively.

Each and every matter of business contained in the Consent Agenda shall be recorded separately in the minutes of the meeting.

Board of County Commissioners

Leon County, Florida

Policy No. 92 -11

Title: Citizen Inquiry Processing

Date Adopted: September 8, 1992

Effective Date: September 8, 1992

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

1. Any citizens who have non-agendaed inquiries at regularly scheduled County Commission meetings will be directed to meet with a designated staff member immediately during the course of the meeting, which staff member will prepare the Citizen Inquiry Form, attached to this policy, to gain all the necessary information.
2. The matter will then be addressed by staff in the ensuing days, and the County Administrator shall report back to the Board of County Commissioners at the next regularly scheduled meeting as to the status of the inquiry.
3. If the inquiry is unable to be addressed or resolved by staff, an appropriate agenda item will be prepared by County Administration if a change in policy, procedures, or ordinances is required and recommended by staff in order to address the general subject matter of the inquiry.
4. This procedure will not be used if "appeal" mechanisms already exist to address the inquiry.



**Board of County Commissioners
Leon County, Florida**

Policy No. 92 - 11

Citizen Inquiry Processing

CITIZEN'S NAME: _____
 ADDRESS: _____
 SUBJECT PROPERTY LOCATION: _____
 TELEPHONE #: _____ DATE
 OF INQUIRY: _____ REFERRAL
 FROM: _____ ASSIGNED BY
 COUNTY ADMINISTRATOR TO: _____ NATURE OF INQUIRY
 (Narrative): _____

*STAFF INQUIRY CODE (see below): _____

DATE OF STATUS REPORT BY COUNTY ADMINISTRATOR: _____
 RESPONSE TO BOARD ON: _____

RESOLUTION OF INQUIRY (Narrative): _____

FORM PREPARED BY STAFF MEMBER: _____
 FURTHER ACTION NEEDED (If Any): _____

- *Staff Inquiry Codes:
1. Final Development Order/Permitting Matter - GEM
 2. Final Development Order/Permitting Matter - Planning Department
 3. Public Works Matter
 4. Budget Matter
 5. County Administration Issue
 6. Personnel Issue
 7. County Attorney Issue

Board of County Commissioners
Leon County, Florida

1.03

Policy No. 93-10

Title:	County Commission Projects Requiring Commitment of Staff Time
Date Adopted:	1/12/93
Effective Date:	1/12/93
Reference:	N/A
Policy Superseded:	Policy No. 89-, "County Commission Projects Requiring Commitment of Staff Time," 4/25/89

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 89- , adopted by the Board of County Commissioners on April 25, 1989, is hereby repealed and superseded and a new policy is hereby adopted in its place, to wit:

No new projects shall be assigned to County staff unless approved and prioritized by at least four votes of the County Commission.

Any request, other than a routine question or a maintenence request, should be routed through the County Administrator or, for legal matters, through the County Attorney.

Board of County Commissioners

Leon County, Florida

Policy No. 93-11

Title: Execution of Official Documents - Chairman Authorized
Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: Policy No. 78-1, "Board Authorization to Execute Official Documents,"
3/14/78

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 78-1, adopted by the Board of County Commissioners on March 14, 1978, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The Chairman of the Board of County Commissioners is hereby authorized to execute all documents on the Board's behalf as a result of Board action to accept, approve or otherwise authorize official matters presented to the Board. In the Chairman's absence, the Vice Chairman shall have the same authority.

Matters will only be returned to the Board for further action when specifically requested to be returned by the Board.

Board of County Commissioners

Leon County, Florida

Policy No. 98-5

Title: Internal Operations and Protocols, Commission Office
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: *See Subsections Below*
Policy Superseded: Policy No. 97-10, "Internal Operations and Protocols, Commission Office," adopted 8/26/97

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 97-10, "Internal Operations and Protocols, Commission Office," adopted August 26, 1997," is hereby repealed and superseded and a new policy adopted in its place, to wit:

The following policies and procedures are internal policies for the conduct of the Office of the County Commission.

Section I: Standard Operating Procedures

The Chairman's aide shall function in the Commission office as the "lead" aide for the Board. He or she shall coordinate the writing and periodic updating of standard operating procedures for the internal operation of the Commission Office. Such standard operating procedures shall be maintained by the Chairman's aide.

Section II: Budget, Commission Office

Reference: Personnel Policies and Procedures, Section I

Commencing October 1, 1997, each County Commissioner may hire one full-time aide who shall serve at the pleasure of the Commissioner, and each Commissioner shall have exclusive hire/fire rights and responsibility for his/her aide. Effective October 1, 1998, aides are removed from the County pay grade structure, and commissioners may negotiate their aides' starting salaries at a maximum of \$41,000 per year. Subsequent annual pay adjustments shall be at the same percentage rate of increase that the Florida Legislative Committee on Intergovernmental Relations authorizes for Leon County Commissioners. Commission aides shall receive Senior Management benefits.

The Board of County Commissioners shall approve an annual budget for operation of its office. The budget shall consist of a "Personal Services" (salary and benefit) budget for commissioners and aides, "Operating Expense" line items for the Commission office, and an "Operating Expense" line-item budget for each commissioner.

Section II: Budget, Commission Office (Continued)

In general, each commissioner shall make a determination as to the appropriate expenditure of funds within his or her "Operating Expense" line item, so long as such expenditures are directly related to County Commission operating functions.

Each commissioner shall be responsible for monitoring expenditures within his or her budget, or he or she may delegate this responsibility.

The Chairman's aide shall coordinate with commission aides to ascertain the amount of funding to be budgeted in each line item. The Chairman's aide shall also act as liaison with County Administration and the Office of Management and Budget during annual budget preparation.

Section III: Orientation of Newly Elected Commissioners

The chairman and the chairman's aide shall be responsible for meeting with and welcoming all newly-elected commissioners. The Chairman's aide shall provide an office orientation (not to be redundant with the County Administrator's orientation) for newly-elected commissioners, including introductions to the commission office staff, aide assignments, explanation of office procedures and policies, protocols and ceremonial functions, including the swearing-in ceremony for newly elected commissioners. The chairman's aide shall coordinate all activities with the newly elected commissioner prior to the swearing-in ceremony.

Section IV: Assignment of Offices

Reference: County Policy No. 93-9, "Work Areas in the County Courthouse"

To the extent possible, the office occupied by an out-going district or at-large commissioner shall be occupied by the new commissioner elected in his or her place.

In the event a commissioner moves from one office to another, a commissioner may move County-owned personal computers and software. All other County-owned furnishings are to remain in the office being vacated. Commissioners may decorate their offices in accordance with Leon County Policy No. 93-9, "Work Areas in the County Courthouse."

Board of County Commissioners
Leon County, Florida

1.05

Policy No. 93-12

Title: Meeting Dates for Board of County Commissioners

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: 69-2, "Meeting Dates for Board of County Commissioners," 3/11/69

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 69-2, adopted by the Board of County Commissioners on March 11, 1969, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The Board of County Commissioners of Leon County, Florida shall meet every Tuesday at 5 p.m. except the first Tuesday of each month. However, the Board may cancel or continue meetings to observe holidays or other events as the Board deems appropriate.

Board of County Commissioners
Leon County, Florida
Policy No. 98-6

Title: Membership on Boards, Committees, Councils, Authorities and Liaison Program
 Date Adopted: October 13, 1998
 Effective Date: October 13, 1998
 Reference: N/A
 Policy Superseded: Policy No. 93-13, Membership by the Board of County Commissioners on Boards, Committees, Councils and Authorities, Adopted 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-13, adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. The following Boards, Committees, Councils, Authorities and Liaison Program Appointees require County Commission membership and appointments as indicated:

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Apalachee Regional Planning Council	Annual	Commission
Audit Committee	Annual	Chairman
Big Bend AIDS Support Task Force	Annual	Chairman
Canvassing Board (Chairman Must Serve)	Annual	Chairman
Civic Center Authority (Chairman or Designee must Serve)	Annual	Chairman
Coalition for Positive Growth Management	Annual	Chairman
Correctional Planning Committee/CJIS	Annual	Chairman
Cultural Resources Commission	Annual	Chairman
Downtown Improvement Authority (DIA)	Annual	Chairman
Downtown Merchants and Business Assn.	Annual	Chairman
Economic Development Council (Chamber)	Annual	Chairman
Geobased Information Systems	Annual	Chairman
Juvenile Justice Council	Annual	Chairman

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Research and Development Authority	4 Years	Commission

Science Advisory Committee	Annual	Chairman
Tallahassee Area Convention & Visitors Bureau	Annual	Chairman
Tallahassee Area Museum of History and Natural Science	Annual	Chairman
Tourist Development Council (Chairman or Designee)	Annual	Chairman
Transportation Disadvantaged Coordinating Board	Annual	Chairman
Twenty-First Century Council	Annual	Chairman
Value Adjustment Board (Chairman or Designee, plus two other Commissioners)	Annual	Chairman
Water Resources Committee	Annual	Chairman

Liaison Program
Constitutional Officers/Courts

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Clerk of Courts	Annual	Chairman
Court System/Court Administrator	Annual	Chairman
Leon County School Board	Annual	Chairman
Leon County Sheriff	Annual	Chairman
Property Appraiser/Tax Collector	Annual	Chairman
Public Defender/State Attorney	Annual	Chairman
Supervisor of Elections	Annual	Chairman

Liaison Program

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Public Works	Annual	Chairman

Liaison Program (continued)

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Community Development (Growth and Environmental Management, Health Department, Housing & Human Services, Planning)	Annual	Chairman
Management Services (Probation, Facilities Management, Purchasing, Fleet Management, MIS, Human Resources, SOD, MBE)	Annual	Chairman
Administration (Public Affairs Coordinator, Agenda Coordinator, Special Projects Coordinator, Grants Coordinator, Library, Cooperative Extension, Veterans Services, Volunteer Services)	Annual	Chairman

County to University System

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Florida State University, Florida A&M University, Tallahassee Community College	Annual	Chairman

County-to-County Liaison

<u>Name</u>	<u>Term</u>	<u>Appointing Authority</u>
Franklin, Gadsden, Grady, Liberty, Jefferson, Thomas and Wakulla	Annual	Chairman

2. Appointments shall be made by the appointing authority at the first regularly scheduled meeting of the Board of County Commissioners during the month of December or as soon thereafter as possible.
3. Each appointee shall endeavor to keep the Board of County Commissioners advised of those significant actions taken within their area of appointment.

1.06.1
Board of County Commissioners
Leon County, Florida

Policy No. 98-01

Title:	Model Business Resolutions
Date Adopted:	April 14, 1998
Effective Date:	April 14, 1998
Reference:	n/a
Policy Superseded:	n/a

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that, in the interests of acknowledging and recognizing local businesses for their efforts and contributions to the economic development of Leon County, the Board of County Commissioners may from time to time nominate such businesses for recognition by Resolution of the Board of County Commissioners.

Commissioners may nominate businesses for acceptance of such Resolution at a regularly scheduled Board of County Commissioners meeting. When nominating a business for recognition under this policy, Commissioners may use the following guidelines.

The nominated business:

1. employs at least five Leon County residents as full-time employees;
2. pays meaningful wages and provides adequate benefits to its employees;
3. acts as a good environmental steward that is non-polluting, maintains a healthy work environment, and practices energy conservation activities and recycling;
4. maintains a stable presence in Leon County;
5. has been in business in Leon County a minimum of five years;
6. recognizes other Leon County businesses as priority suppliers and resources; and
7. serves as a model to other businesses in Leon County for its business ethics, quality services and management practices.

Board of County Commissioners
Leon County, Florida

Policy No. 78-4

Title: Proclamations

Date Adopted: September 26, 1978

Effective Date: September 26, 1978

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Chairman of the Board of County Commissioners of Leon County is authorized to execute and proclaim certain days, weeks or months for the purpose of recognizing various events on behalf of the Board of County Commissioners of Leon County, Florida. These Proclamations shall bear the official seal of the Board of County Commissioners of Leon County, Florida.

Board of County Commissioners

1.08

Leon County, Florida Policy No. 98-7

Title: Reorganization of the Board of County Commissioners and Installation of Newly Elected Commissioners
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: Ch.100.041, F.S.; Art. II, Sec. 5, Florida Constitution
Policy Superseded: Policy 96-10, "Reorganization of the Board of County Commissioners and Installation of Newly Elected Commissioners," adopted 6/11/96

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 96-10, "Reorganization of the Board of County Commissioners," adopted by the Board of County Commissioners on June 11, 1996, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Reorganization of the Board of County Commissioners

Reorganization of the Board of County Commissioners shall be conducted during the last regularly scheduled Board meeting in November of each year to elect a chairman and vice-chairman.

The reorganization shall be coordinated by the outgoing chairman and/or his or her designee. The outgoing chairman shall give a state-of-the-county address prior to turning the gavel over to the Chief Judge, Clerk of Court for the Second Judicial Circuit, or other official selected by the outgoing chairman, to preside over the election of the chairman and vice chairman. Following the election, the presiding official shall administer the following oath to the incoming chairman:

I, (name), do solemnly swear (or affirm) that I will well and faithfully execute the duties of the office of Chairman of the Leon County Board of County Commissioners to the best of my ability, so help me God."

Acceptance remarks by the newly sworn chairman, and recognitions, may be made prior to proceeding with the conduct of the regularly scheduled business of the Board.

Installation of Newly Elected Commissioners

In accordance with Ch. 100.041, F.S., newly elected County Commissioners shall be installed the second Tuesday following the general election. Such installation shall take place during a specially called meeting of the Board for the sole purpose of swearing in the newly elected commissioners.

The installation of newly elected County Commissioners, and the coordination of a swearing-in ceremony, shall be the responsibility of the Chairman of the Board and/or his or her designee. The Chief Judge and/or the Clerk of Court for the Second Judicial Circuit may be invited to preside over

the ceremony and to administer the oath of office as prescribed in the Constitution of the State of Florida, Article II, Section 5, "Public Officers." The oath prescribed is as follows:

I do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State; and that I will well and faithfully perform the duties of the office of County Commissioner on which I am now about to enter, so help me God.

Public Affairs Office

The Public Affairs Coordinator shall maintain suggested procedures for such ceremonies and provide counsel to the Chairman/designee in coordinating the inaugural and reorganizational ceremonies. In addition, the Public Affairs Coordinator will ensure required and appropriate protocols and public notice of these ceremonies.

Board of County Commissioners

1.09

Leon County, Florida

Policy No. 98-8

Title: Volunteer Boards and Committees
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: Ch. 112, F.S., Code of Ethics for Public Officers and Employees; Ch. 112.3143, F.S., "Voting Conflicts"; and Board of County Commissioners Policy 97-9, "Voting Conflicts on Boards, Committees, Councils and Authorities"
Policy Superseded: Policy No. 95-13, "Volunteer Boards and Committees," Adopted October 24, 1995

It shall be the policy of the Board of County Commissioners of Leon County, Florida that Policy No. 95-13, "Volunteer Boards and Committees," adopted by the Board of County Commissioners on October 24, 1995, is hereby repealed and superseded and a new policy adopted in its place, to wit:

Any board or committee created by the Board of County Commissioners, whether standing or ad hoc, shall have a minimum of seven members, with each commissioner making one appointment, unless specifically prohibited by State law, County ordinance or Interlocal Agreement, or unless the Board of County Commissioners specifically decides otherwise. Lists of nominees for appointment to a committee, board or authority shall include at least one minority.

Each of these committees shall operate under bylaws approved by the Board of County Commissioners, and each committee shall be reviewed every five years for sunset unless it is an ad hoc committee with a specific dissolution date. The committee's bylaws shall include but not be limited to following:

- the committee's purpose,
- its reporting responsibility to the Board of County Commissioners,
- a provision that the committee must comply with Florida's Public Records and Sunshine Law,
- all provisions of Chapter 112.3143, F.S., "Voting Conflicts," and Board of County Commissioners Policy 97-9, "Voting Conflicts on Boards, Committees, Councils and Authorities," and
- a provision that requires a member to relinquish his or her seat on the committee if he or she is absent from two of three successive meetings without cause or without prior approval from the committee chairman

Further, while recognizing that service on volunteer boards and committees is voluntary, repeated absences at meetings may obstruct efficient conduct of the committee's business. Upon notification from the committee chairman or staff person of such absences, the Board of County Commissioners will promptly fill such vacancy for the remainder of the unexpired term.

Board of County Commissioners Leon County, Florida

Policy No. 97-9

Title: Voting Conflicts on Boards, Committees, Councils and Authorities

Date Adopted: July 8, 1997

Effective Date: July 9, 1997

Reference: Sec.112.3143, Florida Statutes (1996)

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that all members of any authority, board, council and/or committee formed or appointed by the Leon County Board of County Commissioners shall abide by the following:

No member/appointee shall vote in an official capacity upon any measure which would inure to the member's special private gain or loss, which he or she knows inure to the special private gain or loss of any principal by whom the member is retained or to the parent organization or subsidiary of a corporate principal by which the member is retained, or which the member knows would inure to the special private gain or loss of a relative or business associate of the member. Such member shall, prior to the vote being taken, publicly state to the authority, board, council or committee the nature of the member's interest in the matter from which he or she is abstaining from voting and within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording minutes of the meeting, who shall incorporate the memorandum in the minutes.

No member shall participate in any matter which would inure to the member's special private gain or loss, which he or she knows would inure to the special private gain or loss of any principal by whom the member is retained or to the parent organization or subsidiary of a corporate principal by which the member is retained, or which the member knows would inure to the special private gain or loss of a relative or business associate of the member, without first disclosing the nature of his or her interest.

Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, prior to the meeting in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

For purposes of this subsection, the term "participate" means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer's direction.

Whenever a member is being considered for appointment or reappointment to any authority, board, council or committee, the appointing body shall consider the number and nature of the memoranda of conflict previously filed under this section by said member.

Board of County Commissioners

1.10

Leon County, Florida

Policy No. 93-42

Title: Voting Equipment - Use of by Municipalities, Public Agencies, Private Organizations, or Others

Date Adopted: 4/27/93

Effective Date: 4/28/93

Reference: Section 101.36, Section 101.5603, Section 287.017, F.S.

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

Municipalities within Leon County, public agencies, private organizations and others who wish to use County voting machines or equipment, or electronic or electromechanical voting machines or devices, or attendant accessory equipment including but not limited to privacy booths, on a rental basis shall submit a completed application to the Board of County Commissioners at least 30 days prior to the date the items are requested. The Board shall consider the application at its next available scheduled meeting.

For purposes of this policy, and except as modified herein, the definitions in Section 101.5603, Florida Statutes, shall apply.

Board of County Commissioners

Leon County, Florida

Policy No. 96-12

Title: Candidacy for Political Office, Employees and Volunteers

Date Adopted: July 9, 1996

Effective Date: July 9, 1996

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Section I

This policy shall not apply to members of the Board of County Commissioners or any other County elected official.

Section II

A. Applicability

1. All employees in Senior Management and Executive Support classified positions, to include any positions in the County Attorney's office, staff positions in the County Commission office, as well as appointed positions on County boards, committees and authorities, must resign their position prior to publicly announcing their intent to run for public/political office or establishing financial accounts for campaign purposes.
2. For purposes of this provision, County staff shall submit their letter of resignation to the County Administrator. County Attorney staff shall submit their letter of resignation to the County Attorney. County Commission staff shall submit their letter of resignation to the Chairperson of the Board of County Commissioners. In the case that the County Administrator, County Attorney or persons holding positions on County boards, committees or authorities decide to seek public/political office, their letter of resignation shall be directed to the Chairperson of the Board of County Commissioners.

B. Career Service Employees

1. County employees classified in the Career Service shall be required to petition, in writing, their intent to seek public/political office.

B. Career Service Employees (Continued)

2. All such employees, prior to announcing their intent to seek office or establish campaign financial accounts, shall seek approval in writing from the County Administrator, with a copy of such correspondence to the Director of Risk Management and Human Resources.
3. All such petitions shall be in writing and include the name and list of duties for the position being sought, along with a copy of their current County position description.
4. Upon receipt of any and all such petitions, the Director of Risk Management and Human Resources shall confer with the County Attorney and the affected division director and department director to determine if a conflict-of-interest exists and make such recommendations to the County Administrator. This review shall not exceed 15 days from receipt of the petition. The County Administrator shall, after receiving such recommendation, notify the employee in writing of his/her decision of approval or disapproval. The employee, if the petition is disapproved, may appeal directly to the County Administrator.

Section III

In reviewing petitions for conflict-of-interest, the following will be taken into consideration.

- A. Required work hours of current position and that of the office being sought.
- B. Current position work duties and their relation to possible decisions to be voted on the office being sought.
- C. Current position's amount of exposure to policy making information and discussions.
- D. State Statutes.
- E. Federal Hatch Act or other applicable election regulations.
- F. A determination of whether the employee's campaign or campaign activities would in any way have a materially disruptive effect on County daily operations.

Board of County Commissioners

Leon County, Florida

Policy No. 93-15

Title: Departments Having Matters to be Presented to the Board of County Commissioners

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: Policy No. 75-8, "County Departments Having Matters to be Presented to the Board of County Commissioners," 4/15/75

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 75-8, adopted by the Board of County Commissioners on April 15, 1975, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

County departments having matters to be presented to the Board of County Commissioners shall coordinate such matters with the County Administrator for full investigation of the request or other business prior to presentation to the Board. The County Administrator is authorized to issue guidelines for the submission of such items for agenda action and shall be responsible for the coordination of all implementation of the County's directives pursuant to discussion of these matters.

Board of County Commissioners

Leon County, Florida

Policy No. 96-8

Title: Drug and Alcohol Testing

Date Adopted: April 9, 1996

Effective Date: July 1, 1996

Reference: Florida Workers Compensation Law; Federal Omnibus Transportation Employee Testing Act of 1991

Policy Superseded: Policy No. 94-10, Drug & Alcohol Testing, December 13, 1994

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a work environment which is free from the influence of alcohol and controlled illegal substances shall be maintained.

1. PURPOSE

As a part of the County's commitment to safeguard the health of its employees, to provide a safe place for its employees to work, and to promote a drug-free community, the Board of County Commissioners has established this policy on the use or abuse of alcohol and drugs by its employees. This policy is set up pursuant to the **Drug-free workplace program under Florida's Workers Compensation Law and the Federal Omnibus Transportation Employee Testing Act of 1991.**

Substance abuse, while at work or otherwise, seriously endangers the safety of employees as well as the general public, and creates a variety of workplace problems including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and decline in quality of products and services provided. Although the County does not have reason to believe that employees are abusing alcohol or drugs, the only effective means of avoiding potential problems is a comprehensive policy directed against alcohol and drug abuse by employees. The application of this policy to off-duty problems is intended to be corrective rather than punitive. Under this policy, employees found to have an off-duty alcohol or drug abuse problem which impacts work performance will be given an opportunity for rehabilitation before disciplinary action is imposed.

2. APPLICABILITY

- a. All Board employees covered under the County's Workers' Compensation coverage shall be subject to Reasonable Suspicion and Return to Duty alcohol and drug testing, and may be subject to Post Accident alcohol and drug testing.

2. APPLICABILITY (Continued)

- b. All job applicants not presently employed by the Board, and Board employees who transfer to a safety-sensitive (driver) positions, shall be subject to Pre-Employment Drug Testing.
- c. Drivers/operators of commercial motor vehicles with a gross vehicle weight of 26,001 pounds or more and requires A, B, or C class commercial drivers license (CDL) shall be subject to Random, Reasonable Suspicion and Return to Duty alcohol and drug testing and may be subject to Post Accident alcohol and drug testing.
- d. All employees who are required to supervise employees who operate commercial motor vehicles and drivers/operators of commercial motor vehicles who are required by law or County Policy to possess a CDL shall be subject to Random, Reasonable Suspicion and Return to Duty alcohol and drug testing and may be subject to Post Accident alcohol and drug testing.

3. ALCOHOL AND DRUG TESTING CATEGORIES. Alcohol and drug testing is required for the following:

- a. **Pre-employment.** The County requires that drug tests shall be conducted before applicants are hired, or after an offer to hire but before safety-sensitive functions are performed for the first time. Testing also is required when employees transfer to a safety-sensitive (driver) position.
- b. **Post-accident.** The County requires that alcohol and drug tests shall be conducted on drivers whose performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the driver is not cited for a moving traffic violation.
- c. **Reasonable suspicion.** The County requires that alcohol and/or drug tests shall be conducted when a trained supervisor or County official has a reasonable suspicion that an employee has violated the County's drug and alcohol testing policy. For the purpose of this policy, a reasonable suspicion exists when a supervisor's suspicion is based upon specific, objective facts derived from the surrounding circumstances from which it is reasonable to infer that further investigation is warranted, provided that no such test shall be required, whenever reasonably possible, unless two persons (the second person must be in supervisory capacity) corroborate the reasonable suspicion and document it in writing.
- d. **Random.** The County requires that alcohol and drug tests shall be conducted on a random unannounced basis just before, during or just after performance of safety-sensitive functions. Random testing applies only to employees identified under Section 2(C) and (D).

3. ALCOHOL AND DRUG TESTING CATEGORIES: (Continued)

- e. **Return-to-duty and follow-up.** The County requires that alcohol and/or drug tests shall be conducted when an individual who has violated alcohol and drug conduct standards returns to duty. Follow-up tests are unannounced, and at least six (6) tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty.

4. ALCOHOL PROHIBITION.

Because alcohol is a legal substance, the rules define specific prohibited alcohol-related conduct. The use or possession of alcohol while on duty is strictly prohibited for all County employees. This prohibition is consistent with Personnel Policies and Procedures Sections 2.11 and 10.05. Performance of safety-sensitive functions is prohibited:

- a. while having a breath alcohol concentration of 0.04 percent or greater as indicated by an alcohol breath test.
- b. while using alcohol.
- c. within four hours after using alcohol.

In addition, refusing to submit to an alcohol test and using alcohol within eight hours after an accident or until tested (for drivers required to be tested) are prohibited.

- 5. APPLICATION OF RANDOM ALCOHOL TESTING:** Random alcohol testing must be conducted just before, during, or just after a driver's performance of safety-sensitive duties. The driver is randomly selected for testing (usually from a "pool" of drivers subject to testing). The testing dates and times are unannounced and are with unpredictable frequency throughout the year. Each year, the number of random tests conducted by the employer must equal at least 25 percent of all the safety-sensitive drivers. These rules provide for adjustments to the annual random testing rate based on the violations (alcohol tests 0.04 or greater and refusals to test) in the industry subject to the FHWA regulations.

- 6. PERFORMANCE AND CONFIRMATION OF ALCOHOL TESTING:** The rules require breath testing using evidential breath testing (EBT) devices approved by the NHTSA. The NHTSA periodically publishes a list of approved devices in the *Federal Register*. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted.

6. PERFORMANCE AND CONFIRMATION OF ALCOHOL TESTING (Continued):

The driver and the individual (called a breath alcohol technician [BAT]) conducting the breath test complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required, must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure reliability of the results. The confirmation test results determine any actions to be taken. Testing procedures that ensure accuracy, reliability and confidentiality of test results are outlined in the Part 40 rule. The procedures include training and proficiency requirements for the breath alcohol technicians (BAT), quality assurance plans for the breath testing devices (including calibration requirements for a suitable test location), and protection of driver test records.

Law enforcement officers will not conduct the tests as part of roadside or other inspections. However, under certain circumstances, post-accident tests conducted by law enforcement personnel will be acceptable. Any individual who conducts the testing must be trained to operate the EBT and be proficient in the breath testing procedures.

- 7. CONSEQUENCES OF A POSITIVE ALCOHOL MISUSE:** Drivers who engage in prohibited alcohol conduct must be immediately removed from safety-sensitive functions. Drivers who have engaged in alcohol misuse cannot return to safety-sensitive duties until they have been evaluated by a substance abuse professional and have complied with any treatment recommendations to assist them with an alcohol problem. To further safeguard transportation safety, drivers who have any alcohol concentration (defined as 0.02 or greater) when tested just before, during or just after performing safety-sensitive functions must also be removed from performing such duties for 24 hours. If a driver's behavior or appearance suggests alcohol misuse, a "reasonable suspicion" alcohol test must be conducted. If a breath test cannot be administered, the driver must be removed from performing safety-sensitive duties for at least 24 hours. A violation of these employer-based testing rules is not placed on, nor does it affect, the driver's CDL record.
- 8. REHABILITATION:** Drivers who violate the alcohol misuse rules will be referred to a substance abuse professional for evaluation. Any treatment or rehabilitation would be provided in accordance with the County's policy (Employee Assistance Program [EAP]). The County is not required under these rules to provide rehabilitation, pay for treatment, or reinstate the driver in his/her safety-sensitive position. If the County decides to allow a driver to return to safety-sensitive duties, the drug coordinator must ensure that the driver:
- a. has been evaluated by a substance abuse professional;
 - b. has complied with any recommended treatment;
 - c. has taken a return-to-duty alcohol test (with a result less than 0.02); and
 - d. is subject to unannounced follow-up alcohol tests.

8. **REHABILITATION** (continued): The County's Employee Assistance Program (EAP) is available to assist employees with alcohol and drug problems. An employee seeking assistance may contact his supervisor, the Human Resources Division's EAP Coordinator or the EAP provider directly. An employee may also seek assistance through his or her health benefit plan.
9. **CONFIDENTIAL RECORDS:** Driver alcohol testing records are confidential. Test results and other confidential information may be released only to the County and the substance abuse professional. Any other release of this information is only with the driver's consent. If a driver initiates a grievance, hearing, lawsuit or other action as a result of a violation of these rules, the County may release relevant information to the decision maker.
10. **DRUG TESTING:** The DOT drug and alcohol testing procedures rule (49 CFR Part 40) sets forth the procedures for drug testing in the FHWA industries. Drug testing is conducted by analyzing a driver's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS). There are over 90 DHHS-certified drug testing laboratories located throughout the United States. The list of DHHS approved laboratories is published in the *Federal Register*. The driver provides a urine specimen in a location that affords privacy and the "collector" seals and labels the specimen, completes a chain-of-custody document, and prepares the specimen and accompanying paperwork for shipment to a drug testing laboratory. The specimen collection procedures and chain of custody ensure that the specimen's security, proper identification and integrity are not compromised. The Omnibus Act requires that drug testing procedures for commercial motor vehicle drivers include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. If the analysis of the primary specimen confirms the presence of illegal, controlled substances, the driver has 72 hours to request a split specimen be sent to another DHHS certified laboratory for analysis. This split specimen procedure essentially provides the driver with an opportunity for a "second opinion."
11. **TYPES OF DRUGS PROHIBITED:** The drug rules prohibit any unauthorized use of the controlled substances. Illicit use of drugs by safety-sensitive drivers is prohibited on or off duty. The FHWA has some additional rules that prohibit the use of legally prescribed controlled substances (such as barbiturates, amphetamines, morphine, etc.) by safety-sensitive drivers. If using an over-the-counter or prescription drug which is in any way influencing the employee's ability to perform his job (i.e., causing drowsiness, slowing reaction times, distorting perception, etc.), he must request temporary reassignment or leave as appropriate. Under no circumstances shall an employee work in a condition which increases risk to life, limb or property. All urine specimens are analyzed for the following drugs:
11. **TYPES OF DRUGS PROHIBITED** (continued):
- a. Marijuana (THC metabolite)
 - b. Cocaine
 - c. Amphetamines
 - d. Opiates (including heroin)
 - e. Phencyclidine (PCP)
- The testing is a two-stage process. First, a screening test is performed. If it is positive for one or more of the drugs, then a confirmation test is performed for each identified drug using state-of-the-art gas chromatography/mass spectrometry (GC/MS) analysis. GC/MS

confirmation ensures that over-the-counter medications or preparations are not reported as positive results.

12. **INTERPRETATION OF THE LABORATORY RESULTS:** All drug test results are reviewed and interpreted by a physician (Medical Review Officer [MRO]) before they are reported to the employer. If the laboratory reports a positive result to the MRO, the MRO contacts the driver (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the driver's urine specimen. For all the drugs except PCP, there are some limited, legitimate medical uses that may explain the positive test result. If the driver provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug test result is reported as negative to the County.
13. **CONSEQUENCES OF A POSITIVE DRUG TEST:** As with an alcohol misuse violation, a driver must be removed from safety-sensitive duty if he/she has a positive drug test result. The removal cannot take place until the MRO has interviewed the driver and determined that the positive drug test resulted from the unauthorized use of a controlled substance. A driver cannot be returned to safety-sensitive duties until he/she has been evaluated by a substance abuse professional or MRO, has complied with recommended rehabilitation, and has a negative result on a return-to-duty drug test. Follow-up testing to monitor the driver's continued abstinence from drug use may be required.
14. **RANDOM DRUG TESTING:** The County is responsible for conducting random, unannounced drug tests. The total number conducted each year must equal at least 50% of the safety-sensitive drivers. Some drivers may be tested more than once each year; some may not be tested at all depending on the random selection. Random testing for drugs does not have to be conducted in immediate time proximity to performing safety-sensitive functions. Once notified of selection for testing, however, a driver must proceed to a collection site to accomplish the urine specimen collection. The FHWA has issued a proposal to permit adjustment to the random drug testing rate. The proposal is similar to what is required for random alcohol testing. The random drug testing rate would be determined annually based upon the random positive rate for the FHWA industry.
15. **EDUCATION AND TRAINING:** The Human Resources Division will provide information on drug and alcohol use and treatment resources to safety-sensitive drivers. All supervisors and employee safety-sensitive drivers must attend at least two hours of training on the signs and symptoms of drug and alcohol abuse. This training is necessary to assist supervisors and employees in making appropriate determinations for reasonable suspicion testing.

The Human Resources Division shall conduct an ongoing drug-free awareness program to inform employees about the County's alcohol and drug policy; the dangers of drugs/alcohol abuse; penalties for the use, sale, possession or manufacture of drugs/alcohol at work; the availability of drug/alcohol counseling; and information about the Employee Assistance Program (EAP).

16. **REHABILITATION:** Drivers who violate the drug abuse rules will be referred to a substance abuse professional for evaluation. Any treatment or rehabilitation would be provided in accordance with the County's Employee Assistance Program (EAP) policy. The County is not required under these rules to provide rehabilitation, pay for treatment, or reinstate the driver in his/her safety-sensitive position. If the County decides to allow a driver to return to safety-sensitive duties, the drug coordinator must ensure that the driver:

- a. has been evaluated by a substance abuse professional;
- b. has complied with any recommended treatment;
- c. has taken a return-to-duty alcohol test (with a result less than 0.02); and
- d. is subject to unannounced follow-up alcohol tests.

The County's Employee Assistance Program (EAP) is available to assist employees with alcohol and drug problems. An employee seeking assistance may contact his supervisor, the Human Resources Division's EAP Coordinator or the EAP provider directly. An employee may also seek assistance through his or her health benefit plan.

- 17. CONFIDENTIAL RECORDS:** Driver drug testing results and records are maintained under strict confidentiality by the employer, the drug testing laboratory, and the medical review officer. They cannot be released to others without the written consent of the driver. Exceptions to these confidentiality provisions are limited to a decision maker in arbitration, litigation or administrative proceedings arising from a positive drug test. Statistical records and reports are maintained by the County and the drug and alcohol testing laboratories. This information is aggregated data and is used to monitor compliance with the rules and to assess the effectiveness of the drug and alcohol testing programs.
- 18. COMMUNICATION OF POLICY TO APPLICANTS/EMPLOYEES:** All County employees in safety sensitive positions and/or functions will receive a copy of this policy.
- a. The Human Resources Division shall be responsible for communicating this policy and providing copies of the policy to newly hired safety-sensitive employees (including seasonal recreation program employees).
 - b. All County departments shall be required to prominently display this policy and any related information material on all employee bulletin boards.
- 19. REFUSAL TO COOPERATE WITH ALCOHOL/DRUG TEST:** An applicant's tampering with the alcohol/drug test or failing to submit to the required pre-employment drug test shall be considered as a request for withdrawal from consideration for the position for which he/her has applied.
- An employee's tampering with the alcohol/drug test or failing to submit to an alcohol/drug test shall be considered insubordination and shall be grounds for dismissal.
- 20. CONSEQUENCES OF VIOLATION OF POLICY:** An employee found to be in violation of any provision of this policy shall be subject to disciplinary action up to and including dismissal. Conditions which may warrant the retention of said employee may include, but not be limited to, the nature of job, length of service, quality of job performance, and nature of offense.
- 21. RIGHT TO APPEAL:** An applicant or employee who feels he/she has not been treated fairly with regard to this policy may file a **grievance** pursuant to the County's Personnel Policies and Procedures.

Board of County Commissioners

Leon County, Florida

Policy No. 95-7

Title: Collection and Refund of Bond Fees for Public Fireworks Displays

Date Adopted: August 29, 1995

Effective Date: August 30, 1995

Reference: Sec.125.74 and 791.03, F.S., and Sec. 2-133(17), Leon County Code of Laws

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Administrator of Leon County is authorized to collect and to refund bond fees collected from organizations or groups of individuals who seek from the County a fireworks permit for supervised public display of fireworks outside any municipality of Leon County. Pursuant to Sec. 791.03, F.S., the bond to be collected from any permittee(s) shall be not less than \$500, conditioned for the payment of all damages which may be caused either to a person or to property by reason of the permittee's display, and arising from any acts of the permittee, his agents, employees or subcontractors.

When satisfied that all conditions for granting the permit have been met, the County Administrator or his/her designee shall issue a permit to the applicant (in a form substantially as that which is attached and incorporated in this policy). Such permits are not transferrable nor may they be used for more than the one event for which the permit was issued.

Upon receiving affidavit (in a form substantially as that which is attached and incorporated in this policy) after the permitted event that no damages have occurred as a result of the activity, the County Administrator or his/her designee is authorized to refund all bond monies collected.

Board of County Commissioners

Leon County, Florida

PERMIT FOR FIREWORKS DISPLAY

WHEREAS, _____ of _____, Florida, having applied to the Leon County Administrator for a permit to conduct a supervised public display of fireworks; and

WHEREAS, the County Administrator has authority to issue such permits under Sec. 2-133(17)(b), Leon County Code of Laws, and Leon County Policy No. 95-7.

THEREFORE, such permit is hereby granted based on the following conditions:

1. This permit shall be valid for a supervised public display of fireworks to be held at _____ (a.m.) (p.m.) on _____, 19____, at the following location:

2. This permit is not transferrable.
3. This permit is subject to all conditions, restrictions, and prohibitions set forth in Sec. 791.02, Florida Statutes.
4. This permit is contingent upon the delivery to the County Administrator of a bond payable to the Board of County Commissioners of Leon County, Florida, in the sum of \$500.00 for payment of all damages which may be caused either to a person or to property by reason of the permittee's display, and arising from any acts of the permittee, its agents, employees or subcontractors.
5. In addition, the permittee shall assume all liability for and save the County, its agents and employees harmless from any and all claims for damages, actions of cause or actions arising out of the display permitted hereunder, including a reasonable attorney's fee, which are in excess of the bond posted herewith.

DATED this _____ day of _____, 19_____.

Parwez Alam, County Administrator
Leon County, Florida

Attest:

Clerk of Circuit Court

I, _____, the undersigned, herewith accept the terms and conditions as set forth in this permit and agree to fully comply therewith to the satisfaction of Leon County.

Sworn to and Subscribed before me this _____ day of _____, 19_____

Signature/Notary Public, State of Florida (Print, Type or Stamp Commissioned Name)

Personally Known () or Produced _____ as identification.

AFFIDAVIT FOR FIREWORKS DISPLAY

STATE OF FLORIDA)
)
COUNTY OF LEON)

BEFORE ME, the undersigned notary, personally appeared _____
(Printed or Typed Name of Affiant)

of _____
(Address of Affiant)

who, being duly sworn, deposes and says:

I hereby certify that there were no injuries or damages related to the fireworks display which
was held on the _____ day of _____, 19____
at _____
(Location of Event)

Signature of Affiant

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 19____

Signature/Notary Public

Printed, Typed or Stamped Commissioned Name:

Personally Known () or Produced _____ as identification.

Board of County Commissioners

Leon County, Florida

Policy No. 98-3

Title: Grant Review Process
Date Adopted: 7/14/98
Effective Date: 7/15/98
Reference: n/a
Policy Superseded: Policy 98-2, "Grant Review Process," May 19, 1998

It shall be the policy of the Board of County Commissioners that Policy No. 98-2, "Grant Review Process," adopted on May 19, 1998, is hereby repealed and superseded, and a new policy adopted in its place, to wit:

1. Approval to submit a grant application shall be delegated to the County Administrator if the grant is:
 - a. an entitlement or competitive grant; and
 - b. is used for the same activity each year or to make a one-time purchase; and
 - c. does not require a cash match (can use in-kind).
2. The Chairman shall sign grant applications that meet the criteria in Number 1 above, but which also require the Chairman's signature for submittal.
3. The Board shall continue to approve submittal of a grant application if the grant:
 - a. is an entitlement or competitive grant; and
 - b. creates a new program/service or adds staff; and/or
 - c. requires a cash match.
4. All grants will continue to come before the Board for approval to accept and enter into contract.
5. Approval to accept additional funding for an ongoing grant-funded program shall be delegated to the County Administrator if:
 - a. the grant does not require an additional cash match (can use in-kind);
 - b. the additional funding does not materially change the scope of the program.
6. The Chairman shall be authorized to sign contract amendments that meet the criteria in Number 5 above.
7. The Board shall continue to approve grant contract amendments if the grant:
 - a. requires an additional cash match;
 - b. materially changes the scope of the program.

Board of County Commissioners

Leon County, Florida

Policy No. 97-12

Title:	Holidays
Date Adopted:	December 9, 1997
Effective Date:	December 9, 1997
Reference:	n/a
Policy Superseded:	Policy No. 97-2, "Holidays," adopted 3/25/97

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 97-2, "Holidays," adopted March 25, 1997, is hereby superseded and amended as follows:

The County shall follow the Second Judicial Circuit and other Constitutional Officers schedule in observance of holidays, as follows:

- New Year's Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Rosh Hashanah* (Jewish New Year)
- Yom Kippur* (Day of Atonement)
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day
- Day After Christmas

Board of County Commissioners

Leon County, Florida

Policy No. 91-9

Title: Lottery Tickets - Sale of

Date Adopted: January 15, 1991

Effective Date: January 15, 1991

Reference: Fairgrounds Lease Modification, approved by BCC on 1/15/91

Policy Superseded: Policy No. 88- , "Lottery Tickets," 2/9/88

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No 88- , adopted by the Board of County Commissioners on February 9, 1988, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Lottery tickets shall not be sold in any facility which is owned, rented, leased or operated by the Board of County Commissioners, except that games sanctioned by the State of Florida and subject to the control of the Florida Department of Lottery shall be allowed at the North Florida Fairgrounds.

Board of County Commissioners
Leon County, Florida

Policy No. 93-16

Title: Mail

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: Policy No. 75-5, "County Mail," March 1, 1975

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 75-5, adopted by the Board of County Commissioners on March 1, 1975, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

A central mail room shall be provided in the Courthouse. The hours of operation shall be from 8 a.m. to 5 p.m., Monday through Friday, except holidays.

Personal mail shall not be picked up, delivered or otherwise processed by the County mail clerk. All County business mail shall be delivered and picked up from County offices each work day.

Board of County Commissioners Leon County, Florida

Policy No.97- 3

Title: Naming of County Owned Facilities, Structures, Buildings, Geographical Areas or Other Property

Date Adopted: April 8, 1997

Effective Date: April 9, 1997

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that proposed names for County owned facilities, buildings, structures, geographical areas or other property must be submitted to the Board of County Commissioners for approval and official designation. Such proposed name shall be in writing and shall be accompanied by background data, a resume or fact sheet citing reasons for the nomination.

Areas, sections, facilities, structures and buildings within County-owned property may be named differently from each other and that of the overall tract. Such areas, sections, structures, facilities and buildings may be named honoring well-known persons, provided that such persons are not serving in public office at the time of naming.

The placement of displays on any County-owned property, structures, buildings or geographic areas that commemorate or honor elected officials, past or present, shall be solely determined by the Board of County Commissioners.

When the Commission finds that it would be inappropriate to name a County area, structure, or facility in its entirety in honor of an individual, it may place a plaque or other marker at an appropriate location within the area or property whereby the names of individuals may be placed in recognition of their contributions to the County.

When appropriate, County owned facilities, structures, buildings, properties or geographical areas may be renamed. The procedure for doing so shall be the same as for originally naming such County-owned property.

Board of County Commissioners

Leon County, Florida

Policy No. 96-13

Title: Petty Cash Accounts, Authority to Establish

Date Adopted: July 16, 1996

Effective Date: July 17, 1996

Reference: Leon County Purchasing Policy 96-1

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

In the interest of prudent and efficient operation of County government, Petty Cash Accounts may be established upon approval of the County Administrator. Such Petty Cash funds are to be used strictly in accordance with provisions governing these funds in the Leon County Purchasing Policy.

Requests to establish Petty Cash Accounts shall specify a specific dollar amount for a full fiscal year or portion thereof, and shall be accompanied with an appropriate budget amendment transferring operating funds to the Petty Cash Account. All such requests shall be submitted by and through Group Directors. Included with the request from a Group Director shall be a designated custodian of the Account. When satisfied that a Petty Cash Account would be a cost-benefit to the County, the County Administrator may approve the request and forward authorization to the Office of Management and Budget for coordination with the Clerk of Courts' Finance Director to establish the account.

Board of County Commissioners
Leon County, Florida

Policy No. 93-40

Title: Photocopies - Duplexing

Date Adopted: 4/27/93

Effective Date: 4/28/93

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

In the interest of conserving paper, all departments, divisions and offices of the Board of County Commissioners shall photocopy on both sides of the copy paper all documents consisting of ten or more pages, whether the copies are made for internal circulation or for the public.

Board of County Commissioners

Leon County, Florida

Policy No. 97-4

Title: Photocopying Fees

Date Adopted: April 8, 1997

Effective Date: April 9, 1997

Reference: Ch. 119.07, F.S.

Policy Superseded: 91-1, "Photocopying Fees," 2/12/91

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 91-1, adopted by the Board of County Commissioners on February 12, 1991, is hereby repealed and superseded and a new policy is hereby adopted in its place, to wit:

Persons requesting copies of documents or official records shall be charged in accordance with the following schedule:

For Copies No Larger than 8-1/2x14"

One-sided Duplicated Copy

First Copy of a Document: \$.15 per sheet

Second and Additional Copies
of Same Document: \$.05 per sheet

Two-sided Duplicated Copy

First Copy of a Document: \$.20 per sheet

Second and Additional Copies
of Same Document: \$.10 per sheet

Certified \$1.00 per document

County Maps or Aerial Photographs:

Actual cost of material, supplies, and reasonable charges for labor and overhead.

Board of County Commissioners
Leon County, Florida

Policy No. 97- 7

Title: Public Access to County Commission Meeting Agendas

Date Adopted: May 13, 1997

Effective Date: May 14, 1997

Reference: Policy 97-4, "Photocopying Fees"

Policy Superseded: Policy No. 97-5, "Public Access to County Commission Meeting Agendas," adopted April 8, 1997

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 97-5, adopted by the Board of County Commissioners on April 8, 1997, is hereby superseded and repealed and a new policy adopted in its place, to wit:

In the interest of prudent and cost-efficient public access to County Commission meeting agendas, these agendas shall be provided for public access through Internet on the Leon County Home Page, via E-mail, at the LeRoy Collins Leon County Public Library and County Administration offices in the Courthouse. In addition, copies of the agenda may be mailed to citizens and organizations.

The County Administrator shall determine the number of complete agenda packets to be reproduced and to whom such packets shall be distributed. Copies of complete agenda packets and/or other lengthy documents may be made available to the general public, upon request, at a cost to be determined by the County Administrator. Individual agenda items and/or other documents may be made available to the general public, upon request, at a cost in accordance with the schedule outlined in County Policy 97-4, "Photocopying Fees."

Board of County Commissioners

Leon County, Florida

Policy No. 93-17

Title: Leon County Smoking Policy

Date Adopted: 1/12/93

Effective Date: 1/12/93

Reference: Leon County Resolution Adopted April 24, 1990, Effective May 15, 1990

Policies Superseded: 74-1, Courtroom No Smoking Policy, 4/16/74, and 76-10, No Smoking During Commission Meetings, 11/16/76

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 74-1, adopted by the Board of County Commissioners on April 16, 1974, and Policy No. 76-10, adopted on November 16, 1976, are hereby repealed and superseded, and a new policy is hereby adopted in their place, to wit:

The Resolution relating to smoking adopted by the Board of County Commissioners on April 24, 1990 and effective May 15, 1990, attached hereto, shall be the smoking policy of the Board of County Commissioners of Leon County and shall be effective in all buildings owned or leased by Leon County.

Resolution

WHEREAS, the Florida Legislature has adopted the Florida Clean Indoor Air Act prohibiting smoking in public buildings except in designated areas; and

WHEREAS, the purpose of the Florida Clean Indoor Air Act is to protect citizens by creating areas in public places and at public meetings which are free from tobacco smoke; and

WHEREAS, the Leon County Courthouse and all other buildings owned or leased by Leon County are public buildings as defined in the Florida Clean Indoor Air Act; and

WHEREAS, the offices contained in the buildings owned or leased by Leon County are accessible to the public during the work day and also many evenings, and;

WHEREAS, the Florida Clean Indoor Air Act provides for the adoption, by the operator of a public building, of a policy regarding smoking; and

WHEREAS, the best interests of all citizens of Leon County and its employees would be served by the adoption of a policy regarding smoking which covers the Leon County Courthouse and all other buildings owned or leased by Leon County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, duly assembled in regular session this 24th day of April, 1990, that in recognition of the fact that the Clean Indoor Air Act prohibits smoking in all public places, unless there is a designated smoking area, and specifically prohibits smoking in certain areas, including:

1. Elevators,
2. Restrooms, and
3. Jury deliberation rooms.

In accordance with the responsibilities identified in the Florida Clean Indoor Air Act, the Board of County Commissioners does hereby adopt the following non-smoking policy in all buildings owned or leased by Leon County:

1. There will be no smoking in any area of the Leon County Courthouse or in any other buildings owned or leased by Leon County with the following exceptions:
 - A. The Leon County Jail
 - B. Property leased by the North Florida Fair Association
 - C. The patio area of the snack bar on the second floor of the Leon County Courthouse.
2. Smoking will be allowed on the Plaza Terrace of the Leon County Courthouse. This terrace is on the east side of the Courthouse overlooking Calhoun Street, and extends to the south side of the building overlooking Pensacola Street.
3. Smoking will be allowed outside other buildings or areas owned or leased by Leon County.

Pursuant to State law, the department of Health and Rehabilitative Services is the department charged with overall enforcement of the Florida Clean Indoor Air Act. Chapter 386.207 indicates that :

“the Governmental entity responsible for the management and maintenance of a government building shall implement this act with respect to such building.”

This resolution is to take effect May 15, 1990.

Board of County Commissioners

Leon County, Florida

Policy No. 93-18

Title: Solicitation

Date Adopted: 1/12/93

Effective Date: 1/12/93

Reference: N/A

Policy Superseded: 82-6, "Solicitation," 12/21/82

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No.82-6, "Solicitation," adopted by the Board of County Commissioners on December 21, 1982, is hereby repealed and superseded and a new policy is hereby adopted in its place, to wit:

1. No employee or other person may solicit or be solicited during working hours or in work areas.
2. No employee or other person may distribute solicitation literature in work areas or during work hours.
3. No group insurer or provider of County benefits may be permitted access to employees work sites except with prior permission of the County Administrator or designee. Such access, if granted, shall be limited to communication and implementation of new plans and/or administration of existing group policies and shall not be used for the purpose of unapproved solicitation.
4. Charitable solicitations may be permitted upon approval of the County Administrator, subject to the following:
 - a. Solicitation may take place only for charitable purposes and not for private gain, and only on behalf of generally recognized and reputable charitable organizations.
 - b. The specific activities planned for the charitable solicitation must be communicated to and approved by the County Administrator prior to any activity taking place.
5. Unless specifically authorized by the County Administrator, employees or other persons may not be permitted to post solicitation or other materials on bulletin boards which are intended for official County business.
6. For purposes of carrying out this policy, the following definitions apply:
 - a. work area: areas where the employees' work is performed.
 - b. working hours: an employee's normally scheduled hours of work (excluding lunch breaks and rest breaks)

Board of County Commissioners

Leon County, Florida

Policy No. 93-19

Title: Travel

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: Ch. 112.061(7)(d), F.S.

Policy Superseded: 73-3, "Expenditure of Appropriated Travel Expense," 3/27/73
74- , Travel Allowance," 7/26/74
77-8, "Travel," 6/28/77

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 73-3, adopted by the Board of County Commissioners on March 27, 1973; Policy No. 74- , adopted on July 26, 1974; and Policy No. 77-8, adopted on June 28, 1977, are hereby repealed and superseded and a new policy is hereby adopted in their place, to wit:

1. In each department where revenue has been appropriated for travel, the department head shall be responsible for reasonable expenditure of this revenue, determining the proper use of such funds, and allocating the funds over the entire fiscal year. Reimbursement for travel expenses incurred shall be generally consistent with Chapter 112.061, F.S. and in accordance with rules and procedures as established by the County Administrator and attached to this Policy.
2. With department head approval, County employees may be authorized to attend conventions, conferences and meetings that entail the expenditure of travel funds, if such funds are appropriated in the County's annual budget. These conferences, conventions and meetings must directly benefit the County and contribute to efficient operation of County government. Such benefits shall be, but shall not be limited to, benefits accrued by information, knowledge, monetary aid, etc.
3. Claims for all reimbursement for travel shall be made on the Leon County travel voucher form to be submitted to the County Administrator's office for approval and validation prior to submission to the Clerk for payment. Requests for travel must be submitted to the County Administrator or his designee for approval.
4. Travel reimbursement for all travel in personal vehicles, and mileage allowance for local travel, shall be in accordance with the State rate in effect on the date(s) of travel.

Travel Requests and Reimbursement for Travel Procedures

Section I. General

Travel expenses shall be limited to those expenses necessarily incurred in the performance of a public purpose authorized by law to be performed by the Leon County Board of County Commissioners and must be within limitations described herein and in Ch. 112.061, Florida Statutes. Under no circumstances will an employee be reimbursed travel expenses incurred for the purpose of taking merit system or job placement examinations, whether written or oral.

Section II. Authorization

Requests for travel must be approved and authorized by the department head and submitted to OMB and County Administration for approval. Requests for travel advances must likewise be submitted to OMB and County Administration for approval prior to submitting to Finance for advance payment. The "Travel Request" form (Attachment #1) attached to these procedures must be completed and signed by the approving authority for this purpose.

Travel reimbursement requests must be authorized and approved by the department head and County Administrator or his designated representative prior to submitting to Finance for payment. The attached "Travel Expense Report" (Attachment #2) must be completed and signed by the approving authority for this purpose.

Section III. Per Diem and Subsistence

A. Types of Travel

1. Class "A" Travel: continuous travel for a period of 24 hours or more out of the County. The travel day for Class "A" travel shall be a calendar day (midnight to midnight).
2. Class "B" Travel: continuous travel of less than 24 hours which involves over-night absences out of the County. The travel day for Class "B" travel shall begin at the same time as the travel period.
3. Class "C" Travel: travel for a short trip of less than 24 hours where the traveler is out of the County, but not over night.

Section III. Per Diem and Subsistence (continued)

B. Rates of Per Diem and Subsistence

1. Class "A" and Class "B" Travel

- (a) Travel outside the County/State in order to conduct bona fide County business shall be reimbursed either of the following for each day of such travel at the option of the traveler:
 - (1) \$50 per diem, substantiated by a paid hotel or motel bill, or
 - (2) if actual expenses exceed \$50, the actual expenses for lodging at a single occupancy rate, to be substantiated by paid bills, and for meals not to exceed the following:
 - a. Breakfast \$3
 - b. Lunch \$6
 - c. Dinner \$12
- (b) When claiming the \$50 per diem rate for Class "A" or "B" travel, the traveler shall be reimbursed one-fourth of the authorized rate of per diem for each quarter, or fraction thereof, of the travel day included within this travel period.
- (c) Under no circumstances may an employee be reimbursed for any meal or lodging included in a convention or conference registration fee paid by the County.
- (d) When lodging and/or meals are provided by any federal, state or local governmental agency, the traveler shall be reimbursed only for the actual expenses of such lodging. Reimbursement for meals shall not exceed the following:
 - (1) Breakfast \$3
 - (2) Lunch \$6
 - (3) Dinner \$12

2. Class "C" Travel

- (a) A traveler shall not be reimbursed on a per diem basis for Class "C" travel, but shall receive subsistence as follows:
 - (1) Breakfast: when travel begins before 6 a.m. and extends beyond 8 a.m. - \$3
 - (2) Lunch: when travel begins before 12 noon and extends beyond 2 p.m. - \$6
 - (3) Dinner: when travel begins before 6 p.m. and extends beyond 8 p.m., or when travel occurs during night time hours due to special assignment - \$12.

Section IV. Transportation

- A. All travel must be by a usually traveled route. If a person travels by an indirect route for his own convenience, any extra costs shall be borne by the traveler and reimbursement for

expenses shall be based only on such charges as would have been incurred by a usually traveled route. No person shall be reimbursed for transportation from home to office or office to home.

- B. The use of privately owned vehicles for official travel may be authorized by a Department Head or the County Administrator when a County vehicle is not available. A traveler using his/her privately owned vehicle will be reimbursed at the State rate in effect on the date(s) of travel (Ch. 112.061[7][d], F.S.). All mileage shall be shown from point of origin to point of destination. When possible, mileage shall be computed on the basis of the current map of the Florida Department of Transportation for in-state travel and the Rand McNally Road Atlas for out-of-state travel.

Section V. Other Expenses

- A. The following incidental travel expenses may be reimbursed upon submission of paid receipts attached to an official County travel voucher:
1. Taxi fare.
 2. Ferry fare, and bridge, road and tunnel tolls.
 3. Storage or parking fees.
 4. Communication expense (the name of the party called, the place called, the number called and the purpose of the call must be indicated).
 5. Registration fees while attending a convention or conference which will serve a direct public purpose with relation to the Board of County Commissioners.

Board of County Commissioners
Leon County, Florida

2.12.1

Policy No. 94-5

Title: Uniform Policy
Date Adopted: July 12, 1994
Effective Date: July 13, 1994
Reference: Risk Management - Policy and Procedures Manual
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The purpose of this policy shall be to maximize safe working conditions, reflect good appearance and to provide ease of recognition and/or identification for County employees by the public.

Supervisors and employees in the certain designated job categories, including Public Works Operations maintenance workers, equipment operators, roadway workers, animal and mosquito control officers, Fleet Management mechanics, Facilities Management, Solid Waste and Survey personnel, building, environmental and construction inspectors, shall be required to wear County-approved uniforms.

1. Employees who are provided uniforms by the County are expected to wear such uniforms during work hours unless otherwise exempted by their supervisor. This uniform, and any other related dressing accessories, are to be kept well maintained and may not be used for recreational or off-duty purposes.
2. It is the responsibility of the County to provide and launder such uniforms through an approved vendor(s).
3. Replacement uniforms are to be supplied to employees on an as-needed basis. In order to receive replacement uniforms, the employee must return the old uniforms.
4. Upon receipt of uniforms, employees must sign a statement which establishes that the uniforms remain the property of the approved vendor, and must be returned upon termination of employment or transfer to an ineligible position. Should such articles not be returned, and it is determined that the employee is at fault, the replacement cost shall be billed to the employee who shall reimburse the County for the cost of the uniforms.
5. No employee shall affix, adorn or otherwise alter any County-provided work clothing by adding patches, emblems, pins, etc. unless such items are issued and provided by the County or the County Administrator.
6. All protective clothing and/or accessories necessary to insure the safety and well-being of employees must be provided by the department to which the employee is assigned.
7. All uniform and safety accessories and/or items issued by the County (i.e. , hard hats, goggles, gloves, safety shoes, back braces etc.) must be worn in accordance with the County Risk Management Policy and Procedures Manual.

Board of County Commissioners

Leon County, Florida

Policy No. 95-6

Title: County Vehicle Assignments

Date Adopted: May 9, 1995

Effective Date: October 1, 1995

Reference: Ch. 112.061, F.S.

Policy Superseded: Policy #83-1, "County Vehicle Assignments," Adopted 1/18/83

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 83-1, adopted by the Board of County Commissioners on January 18, 1983, is hereby repealed and superseded and a new policy is adopted in its place, to wit:

Section I

- A. County vehicles will be used only by designated County employees within the scope and purpose of official business. Executive heads of departments will be responsible for controlling such use in accordance with this policy.
- B. Employees who use privately owned vehicles for official travel and/or business (local or otherwise) in lieu of County vehicles must be authorized by the department head. Whenever travel is by privately owned vehicle, the employee shall be entitled to a mileage allowance permitted by Florida Statutes (F.S. 112.061) and/or the County Travel Policy for such travel.
- C. Improper use of County vehicles as determined by this policy will necessitate just and proper action by the County Administrator in compliance with disciplinary actions as outlined in existing Personnel Policies. A report of such incidents will be filed with the County Administrator.
- D. Persons other than County employees are not permitted use of County vehicles except as authorized by this policy for official business. Exceptions may be made for emergency situations involving the protection of life and property.
- E. All vehicles must be the most appropriate for the task for which they are assigned. Consideration must be given to the terrain where the vehicle is normally operated, type of equipment carried, job duties of the individual, economy of operation, maintenance and other valid considerations.

F. Vehicles will be classified in the following categories:

Category A: Vehicles assigned to specified employees with overnight use permitted.

Category B: Vehicles assigned to specified employees without overnight use permitted.

Category C: Vehicles assigned to a division with overnight use permitted.

Category D: Vehicles assigned to a division without overnight use permitted.

Category E: Vehicles permanently assigned to an inter-departmental vehicle pool.

G. Vehicles shall be used in accordance with Sections II, III, IV, V and VI of this policy.

H. Vehicle records will be maintained by the Fleet Management Division.

I. All vehicles will carry an official County license plate, County seal, petroleum issue card, current insurance card and vehicle registration papers.

J. Group directors shall be responsible for the enforcement of this policy.

Section II

Category A: *Vehicles assigned to specified employees with overnight use permitted.*

A. An overnight vehicle assignment shall be made only when it is found to contribute significantly to the efficiency and effectiveness of Leon County, is cost effective on its own merit, and is in the best interest of the citizens of Leon County.

B. Vehicle assignment will be considered and evaluated on an individual basis. Application for approval shall be evaluated by the County Administrator or his/her designee. All applications for this category will be evaluated based on the following criteria:

1. Permanent Overnight Vehicle Assignment, Emergency Response Vehicle and Specially Equipped Vehicle.

a. The nature and function of the department, division or section requires that employees respond in a timely manner on a seven day, 24-hour basis. This assignment will be limited to emergency response vehicles and specially equipped vehicles only.

B. Emergency Response Vehicles and Specially Equipped Vehicles will be limited to one (1) assigned vehicle per work unit. Any exceptions must be approved by the County Administrator.

2. An employee with an overnight vehicle assignment must have had to use that vehicle in responding to off-duty-hour situations/emergencies on an average of four times per month for the preceding three month period, and documentation must be available to support this. Employees subject to call on a 24-hour basis are:

Section II,B.2. (Continued)

- a. approved by the County Administrator for specific duties and responsibilities.
 - b. Approved by the appropriate group director for specific duties and responsibilities not to exceed a 48-hour period.
3. Documentation of increased employee productivity, and increased efficiency and effectiveness of County government service delivery, may be considered for overnight assignment. Documentation must show a time and/or cost savings to the County because of overnight assignment of that vehicle.
4. The approving authority may opt for payment of mileage or allowance in lieu of take-home vehicle assignment, when it is considered in the best interest or most effective to the County to do so.

Section III

Category B: Vehicles assigned to specified employees without overnight use permitted.

Vehicles assigned to this category are for employees whose job responsibilities require the use of a vehicle at least 20 hours per week and travel an average of 300 mile per week on County business, but do not meet the managerial, on-call, or irregular work hours criteria required for assignment under Section II.

Section IV

Category C: Vehicles assigned to a division with overnight use permitted.

- A. Vehicles in this category include those not assigned to individual employees in Section II and Section III, but are designed or equipped for specialized functions where response time will be enhanced by allowing vehicles to remain in the custody of individual employees on a rotating basis after normal working hours. More than one employee must be capable of using the equipment in an emergency.
- B. Employees assigned to take the vehicle home must be required to keep the appropriate dispatcher advised of their whereabouts on a 24-hour basis, or be equipped with a paging device so the employee may be reached at all times.

Section V

Category D: Vehicles assigned to a division without overnight use permitted.

Vehicles assigned to this category must be designed or equipped to perform highly specialized functions, or provide needed transportation which would preclude their use as general pool vehicles, but do not require being driven home by employees to facilitate emergency response.

Section VI

Category E: Vehicles permanently assigned to an inter-departmental vehicle pool.

Vehicles assigned to this category include all vehicles which are not included in Sections II, III, IV and V. Such vehicles shall be assigned to general locations, which shall be determined from time to time by the County Administrator, for use by County employees

on official business.

Section VII

A. Based on the Take-home Vehicle Justification Form submitted by current County vehicle assignees, and the strict application of the above criteria in Section II, the following eight have, as an integral part of their job function, responsibilities that require seven day, 24-hour emergency call provisions:

1. Director, Animal Control;
2. Mechanical Supervisor, Facilities Management;
3. Director, Public Works Operations;
4. Roadway Superintendent;
5. Chief Construction Management;
6. Construction Superintendent of Public Works Operations;
7. Parks Supervisor of Public Works Operations;
8. Landfill Superintendent.

B. The remaining 14 County vehicle assignees will be totally eliminated from the fleet:

1. Chief of Right-of-way and Survey;
2. Director of Facilities Management;
3. Director of Fleet Management;
4. Director of Public Works;
5. Director of Engineering Services;
6. Risk/Safety Manager;
7. Director of Growth Management;
8. Director of Building Inspection;
9. Chief of Engineering Design;
10. Director of Solid Waste;
11. Director of Environmental Permitting;
12. Assistant Director, Public Works Operations;
13. Director of Environmental Enforcement;
14. Director of Development Review.

NOTE: These positions will be paid \$200.00 monthly car allowance.

Board of County Commissioners

Leon County, Florida

Policy No. 93-20

Title: Vehicle Replacement

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: Vehicle Replacement Policy Adopted During FY82-83 Budget Workshops

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Vehicle Replacement Policy adopted by the Board of County Commissioners during FY 1982-83 budget workshops, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

In order to purchase County vehicles and equipment in a more efficient and cost-effective manner, the criteria attached to this policy shall be employed by all County departments when considering replacements for County vehicles or equipment. These criteria are intended to serve as methodology for need analysis when a vehicle replacement is requested, and to downsize vehicles when appropriate. After the vehicle requested has met the criteria attached to this Policy, an evaluation shall be made by the Fleet Management Division of Public Works to further determine the need for the unit. In certain categories, sub-compacts and/or compacts shall replace full size units. Vehicles which primarily transport only one driver shall be downsized to smaller fuel efficient units at the time of replacement. The State Contract shall be utilized as a pricing guideline.

The County shall convert to alternate fuels when documented evidence confirms that savings will be realized by such a conversion.

Board of County Commissioners

Leon County, Florida

Policy No. 99-1

Title: Youth Sports Teams - Funding
Date Adopted: March 16, 1999
Effective Date: March 17, 1999
Reference: Institutional Practice for Dissemination of Sports Teams Funding
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that a program to recognize Leon County's youth sports teams is hereby established, and that funding may be available to such teams provided that they qualify as a "youth sports team." The program will be administered by the County Administrator or his designee and will be funded at the \$5000 level annually.

A. Objective

1. This Policy is established to provide the following:
 - a. Funding on an annual basis for 10 (ten) youth sports teams at the \$500 funding level per team; and
 - b. Temporary and nonrecurring funding for youth sporting events, i.e. tournaments.

B. Procedures

1. Youth sports teams requesting funding from the Board of County Commissioners at any time during the fiscal year shall first submit their requests in writing to the County Administrator or his designee for full review and evaluation. The request must include certified documentation establishing the legitimacy of the organization.
2. The County Administrator or his designee is authorized to develop forms and procedures to be used by youth sports teams, or individuals representing such teams, when submitting requests for funding.
3. In carrying out the provisions of this Policy, the County Administrator or his designee will establish a process for evaluating requests, including the criteria described below.
4. Funding will be allocated on a first-come, first-served basis. In the event that more than one (1) request is received concurrently when the fund's balance is reduced to \$500, the remaining \$500 will be divided equally among the applicants meeting the evaluation criteria.
5. The Board of County Commissioners will be informed regarding programmatic activity by way of the County's Quarterly Report.

C. Evaluation Criteria

Evaluation of funding requests shall include, but not be limited to, a review of the following:

1. Applicants must have participated in a City, County, or School Athletic Program during the year in which funding is sought.
2. Applicants must document the legitimacy of the team.
3. Team participants must be 19 years of age or younger.
4. The requested funding must support post season activity, e.g. tournament play, awards banquets associated with extraordinary performance.
5. Analysis of the impacts to the team and/or community if the funding is not approved.
6. Availability of funds.

Board of County Commissioners
Leon County, Florida

Policy No. 93-21

Title: Enforcement of Ordinances - County Attorney

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: 75-10, "County Attorney-Enforcement of Ordinances," 4/15/75

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 75-10, adopted by the Board of County Commissioners on April 15, 1975, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The County Attorney and his staff may file suit, or institute appeals, on behalf of the County to enforce compliance with County ordinances, or to otherwise preserve the rights of the County, without specific authorization of the Board except in those instances where, in the opinion of the County Attorney, unusual circumstances or parties are involved.

Board of County Commissioners

Leon County, Florida

Policy No. 93-22

Title: In-House Legal Services
Date Adopted: January 12, 1993
Effective Date: January 12, 1993
Reference: N/A
Policy Superseded: Policy No. 89- , "In-house Legal Services" 4/25/89

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 89- , adopted by the Board of County Commissioners on April 25, 1989, is hereby repealed and superseded and a new policy is hereby adopted in its place, to wit:

County Attorney's Office

1. All new requests from staff for research or review of projects shall come through and be approved, in advance, by the County Administrator.
2. County Commissioners may direct all routine questions to the County Attorney. Routine is defined as any question which does not require extensive staff time or research, as determined by the County Attorney.
3. All issues requiring extensive staff time or research can only be initiated by the County Attorney, the County Administrator, or by majority vote of the County Commission.

Board of County Commissioners

Leon County, Florida

Policy No. 93-50

Title: Reimbursement of Attorneys Fees and Costs
Date Adopted: November 23, 1993
Effective Date: November 24, 1993
Reference: N/A
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Section 1.

INTENT: As used in the balance of this policy, the words "successfully defend or prevail" shall apply to individual counts, charges and/or allegations, and shall mean the dismissal, the finding of not guilty, or a verdict in favor of the persons covered herein as set forth in Section 3, below. A failure to successfully defend or prevail against one or more counts, charges or allegations shall not necessarily affect the application of this policy to other counts, charges and/or allegations which were successfully defended or against which the officer or employee prevailed.

Section 2.

DEFINITIONS: "Reasonable attorney's fees" shall mean fees earned by an attorney and/or attorneys licensed to practice law in the State of Florida, based on the customary per hour rate charged in Leon County, Florida, for similar work performed by private non-appointed attorneys within the county.

Section 3.

Subject to Section 7, the Board of County Commissioners of Leon County shall, pursuant to the procedures set forth herein, reimburse present and former county commissioners and county public officers, and their present and former employees and agents, including appointees of the Board or such officers, for the reasonable attorney's fees and costs that such persons have incurred when they successfully defend or prevail in civil, criminal, and/or ethical investigations and/or actions that arise out of and in connection with their scope of county employment or county function and while serving a public purpose. The decision to make such payment shall be delegated to the County Attorney, subject to review by the Board if the request is denied by the County Attorney.

Section 4.

Any person who believes that he or she is allowed or entitled to payment for reasonable attorney's fees and costs pursuant to the provisions of this policy shall file a written request for such fees and costs with the County Attorney which request shall at the minimum state:

- a. the name and current address of the person making the request;
- b. a description of the entity conducting the investigation or proceeding;
- c. the case number or file number of the investigation or proceeding, if known;
- d. a description of each count, charge and/or allegation made or being investigated;
- e. the date(s) that the alleged wrongful incidents are alleged to have occurred;
- f. the person's office or position of employment with the county on the dates described in (e.) above;
- g. a narration of the reasons why such person believes that the request meets the criteria set forth in this policy and that his or her attorney's fees and costs should be reimbursed by the county;
- h. the name(s), address, and telephone number of the attorney(s) representing such person against the counts, charges and/or allegations described in (d.) above;
- i. a description of the fee arrangement or agreement between the person and his or her attorney(s); the amount of attorney's fees and costs paid to the date of the written request for attorney's fees and costs for defense against the counts, charges, and/or allegations described in (d.) above; and the total balance due, if any, of all attorney's fees and costs that have been incurred in defense against the counts, charges, and/or allegations described in (d.) above; and
- j. such other information as the Board of County Commissioners and/or the County Attorney's Office may reasonably require.

Section 5.

The Board of County Commissioners shall expeditiously be advised of the written request described in Section 4 above, within a reasonable time following receipt by the County Attorney of the written request, and the County Attorney shall either request additional relevant information from the applicant, continue the request to a date and time certain, or otherwise take action upon the written request.

Section 6.

Upon receipt of the written request the County Attorney shall also communicate with the County's "insurance" providers to determine and advise the Board whether such "insurance" providers will indemnify the County for any attorney's fees and costs incurred by the applicant in defense against such counts, charges, or allegations.

Section 7.

Notwithstanding anything to the contrary stated or implied herein, this policy does not address or pertain to proceedings or to employee discipline or termination proceedings. In the event such discipline or termination proceedings occur concurrently with the issues and/or proceedings described above, such discipline or termination proceedings shall not affect the application of this policy to the above described non-discipline or non-termination issues or proceedings.

Board of County Commissioners

Leon County, Florida

Policy No. 93-1

Title:	Settlement of Claims Matters and Litigation - County Court
Date Adopted:	January 12, 1993
Effective Date:	January 12, 1993
Reference:	N/A
Policy Superseded:	N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The County Administrator and the County Attorney, jointly, are authorized to settle all "claims" matters for alleged money damages, and litigation in County Court, if an amount is less than any self-insured retention or below the jurisdictional limits for damages sought in County Court.

Board of County Commissioners
Leon County, Florida

Policy No. 98-4

Title: Taxation, Settlement, and Collection of Costs of Litigation

Date Adopted: July 28, 1998

Effective Date: July 28, 1998

Reference: Section 57.041, Florida Statutes; Section 57.071, Florida Statutes;
Section 57.105, Florida Statutes; Rule 1.420, Fla.R.Civ.P.;
Rule 1.390(c), Fla.R.Civ.P.

Policy Superseded: n/a

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The County Attorney is hereby authorized to seek the recovery of all taxable costs in litigation involving Leon County. Such authority shall also include the power to settle and collect all taxable costs legally entitled to Leon County. Such taxable costs shall include, but not be limited to, expert witness fees, other witness fees, attorneys' fees where appropriate, court reporter fees, and any other lawfully imposed costs, concerning litigation involving Leon County.

Board of County Commissioners
Leon County, Florida

Policy No. 93-2

Title: Emergency Management

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: Ch. 252, F.S.

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

In order to provide for the safety and welfare of the citizens of Leon County in the event of a natural, man-made or technological emergency, and to ensure a constant state of readiness, the most current element of the Leon County Comprehensive Emergency Management Plan, upon approval of the State of Florida, Division of Emergency Management, shall be in effect.

Board of County Commissioners

Leon County, Florida

Policy No. 93-3

Title: Allocation of Space in the County Courthouse

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Board of County Commissioners shall have sole responsibility and authority for assigning and approving use of space in the Leon County Courthouse.

Office and other space in the Courthouse is assigned on the basis of an agency's mission and workload and the needs of the community. Vacant areas in the Courthouse are allocated for future use, and may not be presumed available for use by individuals or agencies housed within the Courthouse. Requests for additional office or other space in the Courthouse must be submitted to the Division of Facilities Management and approved by the Board of County Commissioners.

Board of County Commissioners

Leon County, Florida

Policy No. 93-23

Title: Building Alterations and Remodeling

Date Adopted: January 12, 1993

Effective Date: January 12, 1993

Reference: N/A

Policy Superseded: "Building Alterations and Remodeling," adopted January 14, 1975; Policy No. 84-06, adopted July 10, 1984

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The policies cited above and adopted by the Board of County Commissioners on the dates specified are hereby repealed and superseded and a new policy is hereby adopted in their place, to wit:

Any proposal to improve County owned or leased facilities shall be submitted to the Director of Facilities Management for review and recommendation. If the Director so recommends, the proposal shall then be included in the 5-year Capital Improvement Program (CIP) for review by the Board of County Commissioners during the annual budget process.

The County Administrator may approve emergency repairs to any facility up to an amount not exceeding \$20,000. Scheduled improvements which have been approved in the CIP but which exceed the budgeted amount may be approved by the County Administrator in an amount not to exceed \$20,000.

CIP projects exceeding the budget adopted by the Board of County Commissioners shall be identified in the Quarterly Fiscal Performance Report with an explanation of the cause of over-budget expenditure.

Board of County Commissioners
Leon County, Florida

Policy No. 94-3

Title: County Community Service Facilities

Date Adopted: April 26, 1994

Effective Date: April 27, 1994

Reference: N/A

Policy Superseded: Policy No. 79-8, "County Community Service Facility," Adopted September 25, 1979; Policy No. 92-10 amended 10/27/92

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 92-10 amended October 27, 1992 is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Each and every County Community Service Facility, hereinafter referred to as "Center," shall be operated for the primary purpose of making the center available to civic, fraternal, governmental, religious, political and charitable groups and organizations. It is not the purpose of the County to make the center available to any person, group of persons, or organizations for personal gain or private profit. The net proceeds from any and all fees or assessments shall be used for some recognized community purpose or project or for the use and benefit of an organization recognized as carrying on worthy community projects.
2. The Board of County Commissioners of Leon County, Florida, shall establish a Board of Directors for each center and designate such Board as the County's Agent to be in charge of the operation of the center. The directors shall serve at the pleasure of the Board of County Commissioners; shall have only those duties and responsibilities set forth herein; and shall comply with the provisions of Board of County Commissioners Policy No. 93-48, "Volunteer Boards and Committees."
3. All requests for use of the center shall be directed to the Board of Directors, which Board shall make the center available on an equal basis to all persons, groups and organizations desiring use of the same, with no regard as to race, color, national origin, religion, sex, age or political affiliation, for the purposes set forth herein.
4. The Board of Directors shall establish operational rules and procedures which shall not be in conflict with any provision contained herein, or in conflict with any provision contained in Board of County Commissioners Policy No. 93-48, "Volunteer Boards and Committees," and which shall facilitate the purpose of the center.

5. The Board of Directors shall establish user fees which shall be sufficient to defray the cost of operation and maintenance of the center. The Board of Directors will be responsible for maintaining the Center in good functional order, clean and presentable.
6. The Board of Directors shall submit annual written "income and expenditure" reports to the Board of County Commissioners of Leon County, Florida, and shall expend any surplus over the cost of operation and maintenance only upon specific approval of the Board of County Commissioners.
7. Any user of the center shall not be allowed to carry on any activity, conduct any business, make any sales, nor allow any activity, business or sales requiring any license or permit unless such license or permit shall have first been obtained or secured.
8. The County shall not be liable for any injuries or damage, or claim therefor. Any user may provide such insurance at the user's own cost and expense.
9. The Board of Directors has the right to refuse rental to any person, group or organization at any time when such rental would be contrary to the public interest or inconsistent with use of said building for governmental, civic or community project purposes.
10. The Board of County Commissioners shall review and approve the rules and procedures established by the Board of Directors and any changes or amendments thereto. No rule or procedure shall be enforced unless it receives prior approval by the Board of County Commissioners of Leon County, Florida.
11. Prior to use of the center by any person, group or organization, an authorized representative of such user shall acknowledge receipt of a copy of the rules and procedures.
12. No center shall be used for any illegal activity. Violators of this provision shall be prosecuted and any person, group or organization convicted of utilizing any center for any illegal activity shall be prohibited from further use of any center.
13. Any modification, renovation, addition or deletion to the centers shall first be approved by the Director of Facilities Management.
14. A list of members of the Board of Directors and a copy of the rules and procedures shall be posted in each center.
15. In the case of the Miccosukee Community Service facility, pursuant to the Deed of Conveyance to Leon County of July 1957, the Board of County Commissioners hereby acknowledges that the Home Demonstration Club of Miccosukee has the primary right to use the Center so long as that use does not conflict with the use of the Center for official county purposes.

Board of County Commissioners

Leon County, Florida

Policy No. 93-4

Title:	Directories and Signs in the County Courthouse
Date Adopted:	1/12/93
Effective Date:	1/12/93
Reference:	N/A
Policy Superseded:	N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Special care shall be taken to help the public easily locate an office or person in the Courthouse. A complete directory will be located in the main lobby, and directories will be located at each entrance and elevator level. If additional directories are needed, or if a temporary sign needs to be posted, requests for such directory or sign must be made to the Division of Facilities Management, which shall coordinate and post all signs and install all directories.

Board of County Commissioners 6.04.2
Leon County, Florida

Policy No. 99-2

Title:	Parking - County Courthouse Garage
Date Adopted:	June 15, 1999
Effective Date:	June 15, 1999
Reference:	n/a
Policy Superseded:	"Assigning Parking Spaces," adopted January 28, 1969; "Parking Policy for Courthouse Garage" and "Procedures for Implementing Parking Garage Policy," adopted November 29, 1988; "Addendum to Courthouse Parking Policy re: Temporary Disabilities," adopted October 10, 1989; Addendum to Parking Policy re: Authorization for Payroll Deduction of an \$18 per Month Parking Fee, adopted March 13, 1990 and effective April 1, 1990; Policy No. 93-39 "Parking - County Courthouse Garage," adopted January 12, 1993

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-39, "Parking - County Courthouse Garage," adopted January 12, 1993, is hereby repealed and superseded and a new policy adopted in its place, to wit:

The Courthouse Parking Garage is designed primarily to serve the public and support Courthouse functions. As available, parking spaces located in the garage may be provided to elected officials and employees who work in the Courthouse, and others as set out in the "**Procedures for Implementing Parking Garage Policy**" attached to this policy.

The Board of County Commissioners may amend these procedures from time to time as it deems appropriate in the best interests of the citizens of Leon County. Should the number of parking spaces allocated to the public be found insufficient to serve their needs, the number of employee parking spaces may be reduced.

The assignment of parking spaces within the Courthouse Garage shall satisfy all legal obligations which may exist and shall be equitable and fair to all employees whose primary work stations are located in the Leon County Courthouse.

Procedures for Implementing Parking Garage Policy

Reference: Policy No. 99-2

Adopted by the Board of County Commissioners of Leon County
on June 15, 1999

A. General Public, Visitor and Juror Parking Spaces

Parking spaces within the Courthouse garage shall be available to accommodate the parking needs of the general public having business at the Courthouse and the jurors who have been officially summoned by the Clerk of the Circuit Court to appear on a particular date and time. These spaces shall be filled on a first-come, first-served basis.

B. Handicapped Parking Spaces

A limited number of parking spaces within the Courthouse garage shall be labeled and reserved for the handicapped. These spaces shall be filled on a first-come, first-served basis. "Handicapped" is defined as any person who:

1. has been certified, by a physician licensed in the United States or by the Veterans Administration, as severely physically disabled with permanent mobility problems which substantially impair his/her ability to ambulate; and
2. has a Florida Exemption Entitlement Parking Permit.

C. Assignment of Employee Parking Spaces

1. The County may provide parking spaces to those in the following categories:

- a. County, Circuit and visiting judges.
- b. Constitutional and Elected Officers: County Commissioners, Clerk of the Courts, Tax Collector, Property Appraiser, Supervisor of Elections, Sheriff, Public Defender, State Attorney.

c.

Staff of Constitutional and elected officers, or any others, whose primary use of a vehicle is for official business as may be required by Florida Statutes.

- d. Department Heads.
- e. Division heads whose primary office is located within the Courthouse.
- f. County-owned vehicles (limited number).
- g. Handicapped employees.
- h. All other staff or persons for whom the Board of County Commissioners has agreed to provide parking spaces or which may be required by Florida Statutes.

2. Because of the limited number of parking spaces in the Courthouse, employees cannot be assured of an assigned space. However, as space is available, all County and other employees not categorized above whose primary office is located in the Courthouse shall be assigned parking spaces based upon the following:

C. Assignment of Employee Parking Spaces (Continued)

2. (Continued)

a. Only full-time Employees will be assigned parking spaces and they will be assigned in order of seniority. Seniority will be determined by the employee's official date of hire, specifically the official start date (month, day, year) or most recent date of employment after a break in service exceeding 30 working days.

b. In descending order of seniority, spaces will be assigned first from those available in the Courthouse garage and then from those available in any other facilities leased to serve the Courthouse employees.

c. When all available parking spaces have been assigned, those employees not receiving a space will automatically go on a waiting list by seniority. Said list will be updated monthly and available for examination in the division of Facilities Management during normal working hours.

d. This paragraph applies to employees who previously have not applied for parking because of their work location. Any employee who is transferred by their employer to the Courthouse from another work site shall become eligible to apply for Courthouse parking upon assignment. If this employee had previously been ineligible because his/her worksite was not in the Courthouse, then, upon assignment to the Courthouse, the employee will be placed on the waiting list according to his/her seniority date. Any employee who applies and is accepted for a position in the Courthouse shall be eligible for a parking space based on the effective date of accepting that position.

e. Each hiring agency within the Courthouse shall be responsible for having its new employees fill out a parking application with Facilities Management upon hiring.

f. To be removed from the waiting list, employees must state their desire to be removed and submit this statement in writing to Facilities Management.

g. Facilities Management shall notify employees when a space becomes available and shall inform the employee of the terms of the contract.

h. An employee may, at the beginning of each month, choose not to contract for a parking space and employees on the waiting list may, at the time of notification, choose not to accept the space.

C. Assignment of Employee Parking Spaces (Continued)

2. (Continued)
 - i. Employees who decline to accept a parking space or who cancel an existing parking contract with the County must then re-apply for any future space. When employees re-apply for parking, it will be effective with the current date of application.
 - j. Employees who have an assigned parking space may not sub-lease the space. The space cannot be vacated for periods longer than one month without prior approval of Facilities Management.
3. Those persons qualifying within the categories listed in Section C.1. of these Procedures shall be assigned a space specifically in the Courthouse garage. If no space is available to accommodate a new person or position within one of the eligible categories, the least senior employee assigned a space (based on seniority for the Courthouse garage) shall be assigned parking in a leased parking facility, provided the County leases an additional facility, and the least senior employee in the leased facility shall surrender his/her space but shall be placed at the top of the waiting list for any future available space. The employee who surrenders his or her space and is placed back on the waiting list shall be charged only a prorated share of the fee for the month in which the parking contract is terminated.

D. Assignment of Temporarily Handicapped Employee Parking Spaces

1. The Board of County Commissioners recognizes that Courthouse employees who are not eligible for a permanently assigned parking space may occasionally suffer from temporary disability that severely restricts mobility. In an effort to accommodate such an employee, the Facilities Management Division may permit temporary handicapped or disabled parking within the Courthouse garage at the current employee cost. The following procedures shall be implemented to ensure fair and equitable consideration of any request for temporary parking.
 - a. Employees who work in the Courthouse and who suffer from temporary disability or who are in the ninth month of pregnancy such that their condition severely limits mobility may submit a written request for a temporary parking space to the Facilities Management Director through the appropriate department/division/agency head.
 - b. The written request must be accompanied by a physician's statement which specifies:
 - (1) the nature of the disability;

D. Assignment of Temporarily Handicapped Employee Parking Spaces (Continued)

b.(Continued)

- (2) the severity of restriction of mobility;
- (3) the estimated duration of the disability.

c.The Facilities Management Director shall respond to a request for temporary parking after receipt of all required documents. The Director's decision to approve or disapprove temporary parking will be on a case-by-case and space available basis. If requests exceed available space, the severity of the limited mobility and the nature of limitation will be evaluated and appropriate action taken.

d.Temporarily handicapped employees who are assigned a parking space will be required to complete a parking contract and to pay the current parking rate during the period of time the employee is assigned a temporary parking space.

E. Shuttle Pool Spaces

The Board of County Commissioners established “Courthouse Shuttle Pool spaces (12) on level P3 of the parking garage. Only authorized County vehicles are allowed to park in this new area, and must do so under the scramble parking arrangement (first come - first served). The rate for this category of parking is \$10 per month.

(Exception: Employees from satellite offices who have business in the Courthouse and are driving County vehicles may use these spaces at no charge).

F. Assignment of Car Pool Parking Spaces

The Board of County Commissioners approved as incentives to employees of the Courthouse four (4) designated car pool spaces. These spaces are located on the P3 parking level distinguishable by signs. The following procedures shall be implemented to ensure fair and equitable consideration of any request for car pool parking.

a)Two (2) persons shall constitute a car pool. Both persons in the car pool must be full-time employees of an employer located within the Courthouse (Car poolers would not have to work for the same Courthouse employer).

b)Designated car pool spaces are free of charge. However, they would be subject to the same charges for lost gate cards as all other employees with parking spaces.

c)Car pools are examined on an annual basis to ensure continued compliance with the program rules and regulations. Note: once a car pool has been assigned a space, its members may change but its contract would be renewed as long as the car pool itself stayed within compliance of the program rules.

F. Assignment of Car Pool Parking Spaces (continued)

d)Car pool contracts submitted for this program would be selected and/or placed on a waiting list using the size of car pool as the foremost criteria. The total seniority credits of members within a given car pool would be used as the tie breaking criteria between similar contracts bidding for the programs limited number of spaces.

e)Members of the car pool, under this program, could not hold a personal reserved space within the Courthouse garage, but their names would be placed on the general waiting list, according to date of original hire, so that if a car pooler decided or if circumstances warranted that they no longer could participate in this program, they would be eligible to get a space. Under such circumstances, a new space would be assigned through attrition.

G. Parking Garage Fees

1. Upon acceptance of an assigned space, each employee shall sign a contract with the Board of County Commissioners and agree to the terms of the contract. All who are assigned a parking space in the Courthouse garage shall pay a monthly fee as set by the Board of County Commissioners. A \$20 per month fee, for all who park in the garage, was approved by the Board on July 27, 1993, and became effective on October 1, 1993; however, this fee may change as directed by the Board of County Commissioners. The monthly fee is due by the fifth day of each month. If payment is not made by the 15th of the month, a \$5 late charge will be added. If the monthly fee and late charge are not paid by the end of the month, the contract will be terminated and a \$10 administrative charge will be added to restore parking privileges. The monthly fee shall be paid by payroll deduction for Board employees, and for all others, payment will be made payable to the Board of County Commissioners.
2. Visitors shall pay a fee for the use of the Courthouse parking garage, such fee to be based on the length of time the visitor's vehicle is parked within the garage. Signs listing the parking fee structure shall be posted and clearly visible at the visitor entrance to the Courthouse parking garage. The fee shall be established by the Board of County Commissioners; any change in the amount of fees to be charged shall be considered by the Board at a regularly scheduled Commission meeting.
3. Divisions or departments which have assigned parking spaces for government-owned vehicles shall be assessed a monthly fee per space, payable from the division or department operating budget. Employees who are assigned government-owned vehicles, and who keep their vehicles with them overnight, shall themselves pay the monthly parking fee.

H. Waiver of Parking Garage Fees

Validating Criteria:

Validating information shall consist of the following information:

- a. Person's name
- b. Firm's name
- c. Topic or meeting attended
- d. Stamp and signature of authorized designee.

1. Visitors shall not be charged a parking fee for the first 60 minutes their vehicle is parked within the garage.
2. Citizens officially summoned by the Clerk of the Court for jury duty shall be exempt from paying parking fees for the duration of their actual jury service. In order to receive free parking, jurors must have their parking tickets validated by a bailiff.
3. Subpoenaed witnesses and victims shall be exempt from paying parking fees for the duration of their testimony. In order to receive free parking, witnesses and victims may have their parking tickets validated by an official, designated by the State Attorney, in the State Attorney's office or Public Defender's Office.
4. Members of boards, committees or authorities appointed by the Board of County Commissioners, who attend scheduled or called meetings, shall not be charged a parking fee. These citizens may park in the public section of the garage and must have their parking ticket validated by the County staff person assigned to that committee, board or authority.
5. Police officers and Sheriff's deputies in County, City or State vehicles shall not be charged a parking fee. These persons may park in the public section of the garage and must validate their parking tickets by writing their name, ID number and agency on the back of the ticket.
6. County employees driving County vehicles shall not be charged a parking fee. These employees may park in the public section of the garage and must validate their parking tickets by writing their name and vehicle number on the back of the ticket.
7. Off-site County employees driving personal vehicles in performance of official County business shall not be charged a parking fee. These employees may park in the public section of the garage and must validate their parking tickets by writing their name and department on the back of the ticket.

H. Waiver of Parking Garage Fees (continued)

8. Vendors, media reporters and maintenance workers who report to the Courthouse for business shall not be charged a parking fee. These persons may park in the public section of the garage and must have their parking ticket validated by the Division Director, or his/her designee, receiving the service.

I. General Information

1. The day-to-day operation of the Courthouse garage shall be the responsibility of the Director of Facilities Management.
2. The assignment and location of assigned parking spaces shall be the responsibility of the Director of Facilities Management.
3. Leon County shall not be responsible for any loss or damage to personal property in the Courthouse garage or any other County-leased parking facility.
4. The County does not guarantee the availability of parking spaces in the Courthouse garage to any persons desiring a space at any given time.

Board of County Commissioners Leon County, Florida

Policy No. 96-16

Title: Public Use of the Leon County Courthouse

Date Adopted: October 22, 1996

Effective Date: October 23, 1996

Reference: N/A

Policy Superseded: Policy No. 93-5, "Public Use of Leon County Courthouse, 1/23/93"

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

While the Courthouse is owned by the citizens of Leon County, County Government is held responsible for its maintenance, appearance and control. Therefore, individuals or public organizations may use only the County Commission chambers, conference rooms on the second and fifth floors, courtrooms on plaza, second and third floors, the Calhoun Street balcony on plaza level, and the Monroe Street hard surface public access ways, to conduct meetings.

Individuals or public organizations making application to use Courthouse facilities shall comply with the "Procedures for Public Use of Courthouse" attached to and incorporated as an element this Policy.

To schedule courtrooms for meetings which are to occur during normal courtroom hours, the Court Administrator must be contacted for scheduling. For all such meetings which are to begin after 5 p.m., the Division of Facilities Management must be contacted for scheduling.

Those wishing to use the Commission Chambers, conference rooms, Calhoun Street balcony, or Monroe Street hard surface public access ways, must schedule and coordinate their use with the Division of Facilities Management.

Individuals or groups wishing to use an outdoor area of the Courthouse, as described above, must first obtain authorization to use the requested area from the Director of Facilities Management. Final approval to use the area must be obtained from the County Administrator or Board.

Access to the building, security and implementation of the Board of County Commissioners' Policy regarding eligibility to use the facilities shall be the responsibility of the Division of Facilities Management.

Board of County Commissioners
Leon County, Florida

Policy No. 93-6

Title: Records Management

Date Adopted: 1/12/93

Effective Date: 1/12/93

Reference: N/A

Policy Superseded:
 N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Every effort shall be made to ensure that offices and work areas within the County Courthouse do not become cluttered with file boxes and cabinets. Older files which are rarely used should be stored in the County's Records Retention Center located outside the Courthouse. All records required to be maintained beyond 15 years should be microfilmed. Agencies and departments needing assistance with storage should contact the Division of Facilities Management.

Board of County Commissioners

Leon County, Florida

Policy No. 93-7

Title: Security within the County Courthouse
Date Adopted: 1/12/93
Effective Date: 1/12/93
Reference: N/A
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Personal safety for the public and County employees is of primary importance. County employees shall ensure that offices and work areas are secure at all times. Also of concern is the security of the Courthouse itself, its contents and the information stored within the building. Fire alarms will sound in the event of an emergency requiring evacuation of the building. To ensure that all employees leave the building, monitors for each division shall be appointed. Small contained fires (e.g. wastebasket) should be extinguished and reported to the Division of Facilities Management. Fire extinguishers shall be located in the hallways on each floor. In the event of a larger fire or smoke-filled room, the Fire Department and the Division of Facilities Management should be called immediately. Bomb threats should be reported to the Sheriff's Department and the Division of Facilities Management immediately.

Parking areas shall be equipped with security lights. Access to the building is to be controlled by secured outside entrances.

Access to the building shall be limited before and after normal work hours. Every effort shall be made to keep security measures reasonable enough to permit employees, who must work before or after normal work hours, access during those times. Access areas will be identified and posted.

Elected officials or their designees shall decide which employees are to be issued keys to their offices. Those officials or designees shall also be responsible for collecting keys in the event an employee transfers or terminates employment. Employees who have keys should take the responsibility for re-locking any door they open upon entering and leaving after normal office hours. Locks will not be changed without authorization from the Division of Facilities Management.

Guests accompanying an employee into the locked building shall be the employee's personal responsibility.

Board of County Commissioners

7.01

Leon County, Florida

Policy No. 98-26

Title: Building, Environmental and Concurrency Management Permit or Application Fee Refunds
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: Policy No. 93-24, Building, Environmental and Concurrency Management Permit or Application Fee Refunds, 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-24, adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Upon written request to the Director of the Department of Community Development, permit or application refunds may be approved by the Director or his designee in accordance with the following.

1. Any person requesting refund must prove to the satisfaction of the Department that the permit or application fee was in fact paid.
2. Where the particular fee has not yet been deposited into an appropriate fund of Leon County, and where substantial review of the application or inspection of the permitted property has not been made, the permit may be cancelled and 100% of the fee may be refunded.
3. Where the written request is received within 90 days from the date of fee payment, and the applicant can prove to the satisfaction of the Department that the applicant applied for a permit or approval at the direction of the Department when such permit or approval was not in fact required, the permit may be cancelled and 100% of the fee may be refunded.
4. Where the written request is received within 90 days from the date of fee payment and substantial review of the application or inspection of the permitted property has not been made, then a partial refund may be granted. Under such circumstances the amount of the refund shall be reduced by 20% of the permit fee, or \$50, whichever is greater.
5. Where written request is made within 90 days and substantial application review or inspection of the permitted property has not occurred, the person paying the fee may request that a credit be issued toward the issuance of a new permit or application at a different location. The applicant for the credit shall state in the written request the justification for the credit being granted.

6. For purposes of this policy, substantial review work refers to staff work of substance on a permit application leading toward the issuance, with or without conditions, or denial of the application. It is work of a technical or professional nature which goes beyond the review of an application for completeness which occurs at the time that an application is accepted and official records are created. It occurs with the active review, and analysis of application information, technical or legal data bases, on-site study or other such substantive review work essential to the evaluation of the application.
7. Any person requesting a refund in accordance with this policy, who disagrees with the decision of the Director or his designee, may appeal the Department's decision. Such an appeal shall be filed with the Director within 15 days of the issuance of the Department's decision. It shall include a statement by the applicant explaining why he or she disagrees with the Department's decision.

An appeal of the Director's decision shall be forwarded to the Board of County Commissioners for consideration at a regularly scheduled Board meeting within 30 days of receipt of the appeal. An appeal of a decision by a designee of the Director must be appealed first to the Director and thereafter may be appealed to the Board in accordance with this policy.

Board of County Commissioners

7.02

Leon County, Florida

Policy No. 98-27

Title: Canopy Road Tree Protection
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: Comprehensive Plan Conservation Objectives 3.4; Related Policies 1.3.2.; 3.4.1-3.4.9; Transportation Policy 1.1.7; Environmental Overlay Pages I-13-16. Environmental Management Act, Article VII, Division 4 and Division 5, Section 10-314
Policy Superseded: Policy No. 90-1, Canopy Road Tree Protection, 7/31/90

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 90-1, adopted by the Board of County Commissioners on July 31, 1990, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that the following guidelines shall be applied during staff review of Canopy Road developments.

A. Staff Review of Subdivisions, DRI's, PUD's and Site Plans

The applicant will be required to flag the proposed entrances at the time of Environmental Impact Analysis. Staff will estimate the potential impact of the proposed access and the availability of suitable alternatives. Review criteria are as follows.

1. General Provisions:

- a. No property access from a canopy road may be permitted where suitable alternative access is available.
- b. Access will be limited to and from canopy roads, to the essential minimum.
- c. Access will be coordinated with adjacent property owners to a single entry, where possible.
- d. Width of access points will be minimized.

2. Tree Protection:

- a. quality of canopy.
- b. number and size of trees.
- c. quality of trees.
- d. availability of alternative roads.
- e. impact of topographic changes required at point-of-access;.
- f. possibility of using existing access points, and
- g. potential for joining with other property owners to share access points.

3. Traffic Safety:

- a. vertical and horizontal alignment of the canopy road.
- b. tree locations and size.
- c. volume of traffic to and from development.
- d. potential development adjacent to connection.
- e. potential improvement to the canopy road to provide auxiliary lanes (left-turn and deceleration/acceleration).
- f. any access with a greater than 3000 A.D.T. would need a turn lane.
- g. height of banks and connection profile. The speed of traffic and road alignment will determine minimal sight distance.

B. Staff Review of Canopy Road Tree Removal Permits:

1. Staff will consider the strict application of the above criteria and will also evaluate:
 - a. access requests specified by the City or County to provide reasonable, minimum level of service; for example, a modified canopy road standard might be requiring only three (3) lanes when traffic equals or exceeds 3000 A.D.T..
 - b. the location of water, sewer and other utilities and sidewalks and the ability to minimize impact on tree canopy through appropriate design, and
 - c. avoidance of medians, unless designed to complement and enhance existing canopy.
2. There is to be no removal of understory vegetation (underbrushing) in canopy road tree protection zones, in order to provide protection of understory and its effect on the appearance of canopy roads. This policy is not intended to preclude continuation of pre-existing understory maintenance practices in the canopy road zone, maintenance of essential road and ditch conditions, and authorization of landscaping to enhance natural vegetative understory.

C. Tree Removal application requirements are defined by Leon County Code of Laws, Chapter 10, Article VII, Section 10-314 (b).

Board of County Commissioners
Leon County, Florida

Policy No. 98-28

Title: Surety Bond Release for Licensed Contractors
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: Policy No. 93-25, Surety Bond Release for Licensed Contractors, 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-25, adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

After reviewing and considering a recommendation from the Director of Community Development or his designee, the Clerk of the Court or his designee is authorized to release electrical contractor bonds, plumbing contractor bonds, general contractor bonds, building contractor bonds, residential building contractor bonds, pool contractor bonds and other contractor bonds.

Board of County Commissioners

Policy No. 98-11

Title: Eligibility for Library Cards
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: Policy No. 95-4, "Eligibility for Library Cards," 6/13/95

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 95-4, entitled "Eligibility for Library Cards" adopted by the Board of County Commissioners on June 13, 1995, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Any person residing in Leon County who can show proof of residency of the type listed in this policy is eligible for a library card. Children under the age of 18 must have parental or guardian co-signature on the card application. Cards are issued to individuals, not groups.

Individuals who live outside Leon County but who own property in Leon County or are employees of Leon County: Board of County Commissioners, Sheriff, Supervisor of Elections, Clerk of the Courts, Tax Collector, Public Defender, State's Attorney and Court Administrator, are eligible for a library card. Leon County employees must provide a current pay stub, and Leon County property owners who reside outside Leon County must provide a tax receipt as evidence of eligibility.

Other individuals who do not meet these two eligibility criteria and who do not reside in Leon County must pay for a card at a rate of \$10 for three months; \$20 for six months or \$30 for a year.

Lost cards may be replaced by the library upon presentation of the required proof of residency and payment of \$2 for adults and \$.50 for children under the age of 18.

Proof of residency in Leon County may be in the form of any one of the below listed documents:

1. Florida drivers license
2. Florida identification card
3. Personal check with name and address imprint
4. Current lease agreement or rent receipt
5. Current utility, cable or phone bill
6. Automobile registration.

Board of County Commissioners
Leon County, Florida

Policy No. 91-4

Title: Exhibits and Display Policy - Library

Date Adopted: July 9, 1991

Effective Date: July 10, 1991

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Leon County Public Library has designated special areas for exhibits and displays of community interest. The Library Advisory Board will appoint, on an annual basis, five people to serve as the Citizens Exhibit and Display Committee. This committee shall encourage submissions and review all submissions for selection.

One Library staff member, selected by the Library Director, serves as liaison to the Citizens Exhibit and Display Committee.

Selection to exhibit or display works at the Library does not constitute an endorsement of the work.

The Library is not financially responsible for loss or damage to art works or display items. A Library indemnity agreement must be signed by the exhibitor/displayer prior to the setting up of any exhibit or display.

8.01.1

**Board of County Commissioners
Leon County, Florida**

Policy No. 98-12

Title: Loan of Library Materials
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: Ch. 257 F.S.
Policy Superseded: Policy No. 95-10, "Loan of Library Materials," 9/19/95

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 95-10, adopted by the Board of County Commissioners on September 19, 1995, is hereby repealed and superseded and a new policy adopted in its place, to wit:

The LeRoy Collins Leon County Public Library provides the free lending of library materials to eligible borrowers in accordance with Chapter 257, Florida Statutes.

Attached to this policy and incorporated herein are "Procedures for Implementing Loan of Library Materials Policy," as amended by the Board of County Commissioners on October 13, 1998.

Procedures for Implementing Loan of Library Materials Policy

1. Loan periods and the maximum number of items that can be borrowed vary by material type. They are:

Loan Period	Maximum Material TypeNumber
7 days	Magazines6 Maps6 Vertical file items (general)6 Video cassettes and laser discs6
21 days	Books*No maximum Audio cassettes6 Records6 Cassette-book bags6 Talking books6 Comic books6 Compact discs (CDS)6
Varies	Audio-visual equipmentAs determined by

Library Administration

- * Books borrowed on interlibrary loan are due the date indicated by the lending library.
 - * No maximum on the number of books. However, the cumulative value of the books checked out may not exceed the parameters as set forth in the Library's Circulation System.
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2. Regularly circulating items in the library collection that are out on loan may be reserved by a library card holder for his or her use when returned.
3. The loan of a borrowed item may be renewed by telephone, in person, or on the Internet, except when item is overdue or a reserve has been placed on the item.
4. Loan periods and maximum numbers may be revised by the Library Director, with the approval of the County Administrator to meet changing needs for library service.

Board of County Commissioners 8.02

Leon County, Florida

Policy No. 98-13

Title: Materials Selection - Library
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: Policy No. 81-2 "Materials Selection-Library," 4/28/81

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 81-2, adopted on April 28, 1981, is hereby repealed and superseded and a new policy adopted in its place, to wit:

- A. The Board of County Commissioners adheres to the principles adopted by the American Library Association (ALA) with respect to access to library materials, services, and resources. The ALA's Library Bill of Rights prescribes at a minimum that:
1. Library materials should be provided for the interest, information and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background or view of those contributing to their creation.
 2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
 3. Libraries should challenge censorship attempts made to restrict them in the fulfillment of their responsibility to provide information and enlightenment.
 4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
 5. A person's right to use a library should not be denied or abridged because of origin, age, background or views.
- B. The Library Director shall be responsible for developing materials selection guidelines based on the above principles. In addition, the following factors are to be considered in the evaluation of materials or acquisitions:
1. Authenticity of the media: accuracy, currency
 2. Authoritativeness
 3. Clarity of presentation and readability
 4. Social significance: for individuals and groups
 5. Importance of the subject matter to the collection

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6. Availability or scarcity of materials on the subject
 7. Timeliness or permanence of the work: its historical value
 8. Appearance of the title in special bibliographies and indexes
 9. Availability of the materials elsewhere in the area
 10. Literary value
 11. Public demand or popular appeal
 12. Professional reputation of the publisher and/or author
 13. Format
 14. If in an ephemeral format, value in meeting the library's objectives
 15. Price
 16. Additional factors for non-print media:
 - a. potential utilization: interest level, user appeal
 - b. availability of equipment
 - c. technical quality
 17. Reviews of materials contained in library professional publications.
- C. The Library Director shall also be responsible for implementation of a formal procedure for the general public to request review and evaluation of library materials.

Board of County Commissioners
Leon County, Florida

Policy No. 91-5

Title: Meeting Rooms - Library

Date Adopted: July 9, 1991

Effective Date: July 10, 1991

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Leon County Public Library is pleased to provide use of meeting rooms for the general public. This service brings the resources of the Library and the interests and activities of the community together.

All programs are open to the public. Meeting rooms are not to be used for personal or private financial profit, advertising or solicitation of business. No admission fee may be charged; however, a fee for resource materials, books or payment for a program speaker may be collected upon the approval of the Library Director.

Granting permission for use of meeting rooms does not imply Library endorsement of the aims, policies or activities of any group.

The Meeting Room Policy and Procedures will be interpreted and enforced by the Library Director.

Board of County Commissioners

Leon County, Florida

Policy No. 96-5

Title: Overdue Library Materials
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference:
Policy Superseded: Policy No. 96-5, "Overdue Books and Materials," 2/13/96

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 96-5, adopted by the Board of County Commissioners on February 13, 1996, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The LeRoy Collins Leon County Public Library circulates library materials to eligible borrowers and seeks the return of all overdue library materials borrowed from the Library.

The purpose of this policy is to establish a procedure to accomplish the return of, or the payment for, overdue, lost or damaged materials, and to establish a procedure for assessing fines for overdue library materials.

The procedure to carry out this policy is attached as "Procedures for Implementing Overdue Library Materials Policy," amended by the Board of County Commissioners on October 13, 1998.

The Board of County Commissioners may amend these procedures from time to time as it deems appropriate in the best interest of the citizens of Leon County.

1. The procedure for obtaining the return of overdue materials will apply to those materials that are overdue as of February 29, 1996.
2. An overdue notice shall be sent to the delinquent patron when an item becomes 21 days overdue, informing the patron of the overdue status and the possibility of further action.
3. If no response is received, within 21 more days, a bill is sent to the patron requesting payment for the item(s). Quarterly, the Library sends a letter and a duplicate bill to patrons whose overdue/lost accounts total more than \$100, requesting that the item(s) be returned and all fees and fines paid and informing the patron that if there is no response, the account will be prosecuted in Small Claims Court.
4. No Library materials shall be borrowed or renewed for any Library patron identified as being delinquent in returning borrowed Library materials, nor shall a new Library card be issued to a patron being identified as delinquent until all accrued fines and fees have been paid. If overdue materials are identified by the patron as lost, current replacement value of the materials and a processing charge shall be paid by the patron. (see Paragraph 6.d, page 3).
5. If action in Small Claims Court is required, the amount claimed shall be an amount sufficient to reimburse the County for court costs, the current replacement value of the overdue materials, including processing cost, and all fines accrued.
6. Fees and fines for overdue or lost materials shall be:
 - a. **Print Materials**

The overdue fine for books, magazines, maps, comic books, and vertical file materials shall be \$.10 per day beginning with the time the Library closes on the date the item is due. The maximum fine for each overdue adult hardback book, map, or vertical file materials shall be \$3, and \$1 for each children's, paperback book, magazine, or comic book.
 - b. **Reference Materials**

Reference materials are occasionally loaned based on patron need and the public use of the material at the time of the loan. The overdue fine shall be \$5 per day, per item, with a maximum fine of \$50 or the replacement cost of the item, whichever is less.
 - c. **Non-print Materials and Equipment**

Overdue fines shall be charged for the late and/or improper return of non-print materials and equipment as follows:

 - (1) All electrically operated equipment: \$5 for the first hour and \$1 per hour thereafter. This fine shall be assessed by the hour or any fraction thereof. There is no grace period. The maximum fine is \$25.

- (2) 16-mm films borrowed through the State Library of Florida: \$2 per day per item.
- (3) Video cassettes: \$1 per item per day. The maximum fine for each item is \$10.
- (4) All other materials: \$.10 per day per item. The maximum fine for cassette book-bags is \$1; the maximum fine for all other non-print materials is \$3.

d. Charges for Lost or Damaged Materials

Library materials reported lost or damaged beyond repair by the borrower shall require a payment of the current replacement value of the item and a processing fee of \$5 per hardback book or non-print item; \$2 per cataloged paperback book; \$1 per uncataloged item; and \$1 per comic book or magazine. If the item is found and returned to the Library within one year, in satisfactory condition, with the receipt received at the time of payment for the item, the price paid for the item plus the processing fee shall be refunded to the borrower. Overdue fines are not charged on lost or damaged materials.

BOARD OF COUNTY COMMISSIONERS

Leon County, Florida

Policy No. 98-15

Title: Library Patron Rights & Responsibilities
 Date Adopted: October 13, 1998
 Effective Date: October 13, 1998
 Reference:
 N/A

Policy Superseded: 96-18, "Library Patron Rights and Responsibilities," 11/12/96

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 96-18, adopted on November 12, 1996, is hereby repealed and superseded, and a new policy adopted in its place, to wit:

Publicly supported library service is based upon the First Amendment right of free expression. Leon County maintains a library environment that is conducive to all users' exercise of their constitutionally protected right to receive information. In order to protect all library users' rights of access to library facilities, to ensure the safety of users and staff, and to protect library resources and facilities from damage, the Board of County Commissioners imposes the following reasonable restrictions on the manner of library access and behavior.

1. Parents or other adults accompanying minor children are responsible for those children in the library. The library is not responsible for unattended children. Parents or other adults accompanying minor children should remain in the library during scheduled library-sponsored childrens programs.
2. Eating and drinking are allowed only in designated areas of the library.
3. **Unacceptable Behaviors in the Library**
 To ensure everyone's comfort, safety, and access to library resources and facilities, the following behaviors are not considered acceptable in the library:
 - a. noise or talking which disturbs others;
 - b. repetitive breaking of library rules for the use of library spaces, materials, resources, services, facilities or equipment;
 - c. intoxication resulting from the use of alcohol or drugs;
 - d. use of wrong restrooms, or restrooms for bathing;
 - e. soliciting, peddling, or vending, whether in the library or on library grounds, parking areas, or curtilage;
 - f. fighting;
 - g. harassment; and verbal, visual, or physical abuse of other library patrons or library staff;
 - h. use of radios or TVs without headphones;
 - i. improper use, destruction or theft of property;
 - j. running and noisy playing;

Library Patron Rights and Responsibilities

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- k. possession on library grounds of a weapon, an electric weapon or device, a firearm, a destructive device or explosive as defined in Chapter 790, Florida Statutes. The exceptions are law enforcement officers of the 2nd Judicial Circuit and library security personnel.
 - l. campaigning and petitioning in the library and upon the library entryways.
 - m. sleeping.
4. Patrons who exhibit any of the above unacceptable behaviors will be asked to stop and may be asked to leave the library if the behavior continues. Failure to leave the library when asked to do so will subject the person to possible arrest under Ch. 810.08, Florida Statutes, "Trespass in Structure or Conveyance." Persons whose behavior is disruptive or dangerous may be placed on "Trespass after Warning" notification with the police.
- Library administrative staff may suspend or withdraw library privileges from anyone exhibiting the above behaviors.
5. Patrons engaging in criminal activity as defined by Florida Statutes are reported immediately to law enforcement authorities.
6. Attached to this policy and incorporated herein are "Procedures for Implementing Patron Rights and Responsibilities Policy," as revised and adopted by the Board of County Commissioners on October 13, 1998.

Library Patron Rights and Responsibilities

Policy No. 98-15

Procedures for Implementing Patron Rights and Responsibilities Policy

1. Library staff members are responsible for notifying a patron that his or her behavior is unacceptable. Staff at the main library can call the Security Guard to talk with the patron if that level of intervention is warranted. Security Guards are not available at the branches.
2. If, after a first warning, the patron does not cease the unacceptable behavior, he or she may be asked to leave the library for the day. Decisions to ask a patron to leave the library are made by a library supervisor in consultation with the Security Guard, when a Security Guard is available. Library supervisors are members of the library management team or designated staff.

The Tallahassee Police Department (for facilities within the city limits) or Leon County Sheriff's Department (for facilities outside the city limits) is called if a patron refuses to leave the library when asked by staff or Security Guard.

3. The Supervisor of the Day and Security are called immediately at the main library when staff or patrons witness a patron committing an unlawful or dangerous act or threatening such act. The Security Guard and a library supervisor determine if the police are called. At the branches, staff calls the appropriate law enforcement agency immediately.
4. The Security Guard, or staff at a branch, complete a Security Report following incidents in the library. Copies of the report are sent to the Library Director, Assistant Director, and the supervisor involved. The supervisor involved reviews the report, initials it or adds comments or a report of her own, and gives it to the library administrative assistant for copying to the management team.
5. Persons who are given a law enforcement "Trespass after Warning" at the main library should have their picture taken for future reference. The picture, copy of the trespass notice, and identifying information are to be maintained in a notebook at the information desk for use by library staff for purposes of identifying such persons. At the branches, a copy of the trespass notice is kept in the Branch Manager's office.
6. Persons who do not follow policy and procedure when using library services but who are not committing acts which warrant Trespass After Warning as the final activity may be suspended from one or all library services either permanently or for a period of time determined by Library Administration.

Board of County Commissioners
Leon County, Florida

Policy No. 92-4

Title: Accounting and Reporting

Date Adopted: March 10, 1992

Effective Date: March 10, 1992

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The County will establish accounting and reporting systems to:

1. Maintain accounting and reporting practices in conformance with the Uniform Accounting System of the State of Florida and Generally Accepted Accounting Principles (GAAP).
2. Maintain accounting system records on a basis consistent with the accepted standards for local government accounting according to Governmental Accounting and Financial Reporting (GAFR), the National Council on Governmental Accounting (NCGA), and the Governmental Accounting Standards Board (GASB).
3. Provide regular monthly financial reports that include a summary of activity for all funds.
4. Provide regular monthly trial balances of line item financial activity by type of revenue and expenditure.
5. Ensure that an annual financial and compliance audit of the County's financial records is conducted by an independent firm of certified public accountants whose findings and opinions are published and available for public review.
6. Provide that the Office of Management and Budget (OMB) will submit to the County Commission quarterly reports on the operating condition of the County and, where applicable, to identify possible trends and, where necessary, to recommend options for corrective action.
7. Seek, annually, the Government Finance Officers Association (GFOA) Certificate of Achievement in Financial Reporting and the GFOA's annual budget award.

Board of County Commissioners

Leon County, Florida

Policy No. 97-11

Title: Amending the Budget

Date Adopted: October 14, 1997

Effective Date: October 14, 1997

Reference: FY 1996/97 Annual Budget and Capital Improvement Program

Policy Superseded: Policy for Amending the Budget: Policy No. 94-6, Adopted April 26, 1994; effective October 1, 1994

The County will establish practices for the operation and amending of the annual budget to:

1. provide that all amendments/transfers of funds will first be reviewed by the director(s) of the requesting department/division, followed by a second review by the Office of Management and Budget, prior to submission and subsequent approval/denial by the County Administrator and/or the Board of County Commissioners, as set forth by the following provisions of this policy.
2. provide that:
 - a. notwithstanding the provisions of paragraph 1, program managers shall have the flexibility to amend their operating expenditure budgets and personnel services budgets by up to 10-percent of the total on an aggregate basis between line items within programs with a \$20,000 cap, contingent upon approval by the County Administrator;
 - b. the County Administrator delegates to the Office of Management and Budget the responsibility for monitoring and enforcing the provisions of this paragraph based on policies adopted by the Board of County Commissioners.
3. provide that, in addition to the provisions of paragraph 2, the County Administrator may authorize intrafund transfers up to \$20,000.
4. provide that intrafund transfers greater than \$20,000, and all interfund transfers, must be approved by a majority vote of the Board of County Commissioners.
5. provide that all requests for use of reserves for contingency must be approved by a majority vote of the Board of County Commissioners.

**Board of County Commissioners
Leon County, Florida**

Policy No. 98-16

Title: Carry Forward Program
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: Policy No. 94-8 Carry Forward Program, 12/13/94

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 94-8, entitled "Carry Forward Program" and adopted by the Board of County Commissioners on December 13, 1994, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

The Carry Forward Program provides budget incentives to managers to improve financial management effectiveness and accountability. The program allows managers to carry forward into the ensuing fiscal year a portion of, or all, of the unexpected end-of-year funds for identifiable projects which will result in increased productivity, cost savings and/or increased efficiency. Those projects which receive the County Administrator's approval will be presented to the Board of County Commissioners prior to November 1 of each year.

A. Eligibility Requirements

6. The department manager must submit the program proposal to the Office of Management & Budget (OMB) no later than the deadline established by OMB. The proposal must include financial savings estimated based on the most recent financial data available.
7. The department manager must clearly indicate in the Carry Forward Program how the County will realize an increase in productivity, save money or increase efficiency by approving the proposal.
8. Any request that was denied during the budget review process will be forwarded directly to the County Administrator for special review. The County Administrator will provide further direction to OMB.

Note: Those projects which were funded by the Board in the current fiscal year, and which were not completed, are not affected by this program. In such case, the manager must submit a "Carry Forward Request Form" (See Attachment) to the Office of Management & Budget requesting that these funds be added to the budget of the ensuing fiscal year for the sole purpose of completing the projects for which the funds were appropriated in the previous fiscal year. The program must state on the "Carry Forward Request Form" why the project was not completed within the current fiscal year and the anticipated completion date.

B. OMB Responsibilities

The Office of Management & Budget shall review all proposals from department managers. The Office of Management & Budget will be responsible for the program activities listed below.

1. Verify the total amount of funds eligible to be carried forward into the ensuing fiscal year with the Finance Department.
2. Review an analysis of the proposed project to determine if it will increase productivity, save tax dollars and/or increase efficiency.
3. Make a recommendation of approval or denial to the County Administrator.
4. Notify the program manager in writing of whether the project was accepted or denied within two (2) working days of the County Administrator's final decision.

Board of County Commissioners
Leon County, Florida

Policy No. 94-11

Title: Contingency Reserves and Mid-Fiscal Year Funding Requests from Outside Agencies

Date Adopted: September 1994

Effective Date: October 1, 1994

Reference: N/A

Policy Superseded: Policy No. 93-45 "Contingency Reserves and Mid-Fiscal Year Funding Requests from Outside Agencies," 8/10/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 93-45, adopted by the Board of County Commissioners on August 10, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

A. Contingency Reserves

1. Contingency reserves are established to provide the following:
 - a. funding for authorized mid-year increases to adopted levels of service.
 - b. funding for unexpected increases in the cost of providing existing levels of service.
 - c. temporary and nonrecurring funding for unexpected projects.
 - d. funding of a local match for public or private grants.
 - e. funding to offset losses in revenue caused by actions of other governmental bodies.
 - f. funding to accommodate unexpected program mandates from other governmental bodies.

A. Contingency Reserves (Continued)

2. Requests for use of reserves for contingency may be approved only by the Board of County Commissioners. The Board will use the procedures and evaluation criteria set forth in this policy. Such requests will be evaluated to ensure consistency with other Board policy; the urgency of the request; the scope of services to be provided; the short- and long-term fiscal impact of the request; a review of alternative methods of funding or providing the services, a review for duplication of services with other agencies; a review of efforts to secure non-County funding; a discussion of why funding was not sought during the normal budget cycle; and a review of the impact of not funding or delaying funding to the next fiscal year.
3. The general revenue reserves for contingency will be budgeted at an amount not to exceed 10% of projected general operating revenues for the ensuing fiscal year.
4. The reserves for contingency shall be separate from any carry forward fund balances. The County's budget will be amended at such time the County Commission, by majority vote, authorizes the use of reserves for contingency. All requests to the County Commission for the use of any reserves for contingency shall be accompanied by a "contingency addendum" prepared by OMB showing the year-to-date activity on the reserves account as well as the current account balance and the net effect on the account of approving the use of reserves.
5. The County will maintain an annual unappropriated or carry forward fund balance at a level sufficient to maintain adequate cash flow and to eliminate the need for short-term borrowing. The unappropriated fund balance shall be no less than ten (10) percent of general operating revenues and shall be separate from the reserves for contingency.

B. Mid-Fiscal Year Funding Requests from Outside Agencies

1. Board Intent

- a. All requests for funding which can legitimately be planned for must be made through the normal budget cycle.

B. Mid-Fiscal Year Funding Requests from Outside Agencies (Continued)

1. Board Intent (Continued)

- b. The initial disposition of the Board will be to disapprove or delay all requests made outside the normal budget cycle.
- c. The full impact of any request on the present and future resources of the County must be disclosed.
- d. No requests for funding during the fiscal year may come directly to the Board without prior administrative review as specified in this policy.
- e. If administration staff determines that a request does not meet "emergency" funding criteria, the request may be denied at the staff level and not placed on the County Commission agenda for further action unless so directed by the Board or an individual commissioner.

2. Procedures

- a. The following procedures shall govern all funding requests made during the fiscal year outside the normal budget cycle:
- b. Outside agencies or individuals requesting funding from the Board of County Commissioners any time during the fiscal year shall first submit their requests in writing to the County Administrator for full review and evaluation.
- c. County agencies, including County departments and Constitutional Officers, requesting additional funding from the Board shall first submit their requests in writing to the County Administrator for full review and evaluation.
- d. The County Administrator is authorized to develop forms and procedures to be used by outside agencies or individuals or County agencies in submitting their requests.
- e. The County Administrator is authorized to utilize in-house or outside resources to assist in the evaluation of funding requests made during the fiscal year. For example, the Human Service Grants Review Committee may be utilized to evaluate social service requests. In carrying out this responsibility, the County Administrator will make a determination of the level of analysis required for each request.

B. Mid-Fiscal Year Funding Requests from Outside Agencies (Continued)

2. Procedures (Continued)

- f. The Board of County Commissioners shall be notified when a request is denied at the staff level. At the direction of the County Commission or an individual commissioner, requests which have been denied at the administrative level may be scheduled for consideration by the County Commission at a regularly scheduled meeting.

3. Exceptions

- a. This policy is not intended to limit regular mid-year salary adjustment transfers from the salary adjustment contingency account, which is reviewed separately by the Board of County Commissioners in the month of April of each year.
- b. Mid-year requests from athletic teams or similar organizations for funding from the Board's Community Services Trust Fund are exempt from this policy.

4. Evaluation Criteria

- a. The evaluation of funding requests shall include, but not be limited to, a review of the following:
- b. Consistency with other Board policy and impact on future Board funding decisions.
- c. The Board's intent to fund only requests which constitute an emergency for the citizens of Leon County. For purposes of this policy, an emergency is defined as:
 - (1)a substantial loss of essential services, and/or
 - (2)loss of funding for mandated services for which Leon County is legally required to provide, and/or
 - (3)funding which reduces or eliminates the potential for personal injury or harm, and/or
 - (4)funding which will prevent substantial damage to or loss of property.

B. Mid-Fiscal Year Funding Requests from Outside Agencies (Continued)

4. Evaluation Criteria (Continued)

- d. The services that will be provided if funding is approved, evaluated in terms of type and level of service to be provided, target population intended to be served, and implementation strategy or project phasing.
- e. The fiscal impact of the request, both current year and in future years, defined in terms of additional cost to or cost savings for the County. In evaluating funding requests for studies needed as part of larger projects, the future implementation costs to the County, as well as any other future County Commitments, will need to be examined.
- f. Alternative methods of providing the service or funding the request.
- g. Potential duplication of services provided by other agencies.
- h. Efforts made to secure non-County funding (for outside agencies or individuals) or to find funding within their existing budget (for County agencies). For requests involving multi-jurisdictional funding, the local effort of each jurisdiction, derived by dividing the amount tentatively granted by each jurisdiction to that jurisdiction's total budget, must be indicated.
- i. The reason this request was not made during the normal budget cycle.
- j. The impact of not funding the request or delaying funding until the next fiscal year.

Board of County Commissioners
Leon County, Florida

Policy No. 93-46

Title: Dues and Memberships

Date Adopted: August 10, 1993

Effective Date: August 10, 1993

Reference: N/A

Policy Superseded: Policy No. 77-7, "Dues and Memberships," June 21, 1977

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Policy No. 77-7, adopted by the Board of County Commissioners on June 21, 1977, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Organizations to which dues and memberships are paid for a County employee by Leon County shall be listed in a department's/division's annual budget request submission to the office of Management and Budget and reviewed for their appropriateness to the employee's job responsibilities with final denial/approval of such membership(s) by the county Administrator or his/her designee during the development phase of the tentative budget. Any request for County-paid employee memberships made during the fiscal year shall be submitted to the office of Management and Budget for review with final denial/approval by the County Administrator. All memberships paid by the County for its departments/divisions shall follow the same review and approval process as that of a County Employee as outlined in this policy.

Board of County Commissioners
Leon County, Florida

Policy No. 95-8

Title: Finance Advisory Committee

Date Adopted: August 29, 1995

Effective Date: August 30, 1995

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

In order to ensure that financial matters which come before the Board of County Commissioners have been appropriately and thoroughly reviewed, a Finance Advisory Committee is hereby established which shall be comprised of the Leon County Administrator, the Leon County Attorney, the Director of Management and Budget and the Clerk of Courts' Finance Director.

The Finance Advisory Committee shall review and make recommendations to the Board of County Commissioners on financial matters related to the Board of County Commissioners and all County boards and authorities. Such financial matters may include, but not be limited to, issuance of debt, selection of bond counsel, financial advisory services, bond underwriter services, underwriter counsel and arbitrage rebate compliance services.

Board of County Commissioners
Leon County, Florida

Policy No. 94-9

Title: Gain Sharing Program

Date Adopted: December 13, 1994

Effective Date: December 13, 1994

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The Department Gain Sharing Program seeks to recognize and compensate the employees who develop innovative methods of saving tax dollars, increasing productivity and improving service delivery. It focuses on results-oriented goals. Enacting this program should result in more responsible management, enhanced quality service and increased employee motivation.

A. Program Eligibility

The Management Incentive Review Committee (MIRC) shall determine the eligibility for an award based on the criteria listed below.

1. The total amount of savings in department expenditures over the prior fiscal year expenditures.
2. Savings incurred by departments in their capital and personal services budgets are ineligible, with one exception: should a department experience a savings in its personal services budget due to deletion of a position, with no loss in productivity, quality or quantity of work, then the department will be considered eligible for an award. At the option of the program manager, in accordance with the Board of County Commissioners Personnel Policies and Procedures, employees may be eligible for special salary adjustments in lieu of awards provided for in the Gain Sharing Program.
3. Service levels are maintained or enhanced.
4. Managers must identify how the savings were incurred, the individuals involved and indicate that no loss in productivity or efficiency occurred.

B. Employee Eligibility

Eligibility requirements for the Department Gain Sharing Program are listed below. Regular full-time, regular part-time, and job sharing employees within a department are eligible **with the following exceptions**:

1. career service employees who have not satisfactorily completed the six-month probationary period of employment.
2. executive/senior management; however, the County Administrator may elect to reward Executive and Senior Management employees who develop innovative methods of saving tax dollars, increasing productivity and/or improving service delivery. Program directors will submit names of the employees to the appropriate group director. Upon approval of the group director, the Management Incentive Review Committee will review the project and make recommendations to the County Administrator. The amount and payment of award will follow the criteria as provided in this policy.
3. temporary employees, unless their status changes to regular full-time or regular part-time during the time when the proposal was being developed by the department.
4. employees who have resigned or been dismissed.
5. probation officers. (There is a program currently in place which provides financial awards to those probation officers who exceed the required rate established for collection of fees. The awards are based on the amount of fees collected and the caseload of the probation officer; however, other probation department employees are eligible for this program.)

C. Committee Responsibilities

Incentive Review Committee shall be responsible for the program activities listed below:

1. receive and review information submitted by the department requesting consideration for the program.
2. verify the total savings for the prior fiscal year for the department with the Finance Department and Office of Management and Budget.
3. analyze program measures to determine if the department has maintained or increased productivity and/or enhanced customer service.
4. recommend to the County Administrator the appropriate award amount, if any, for the department.
5. present an annual report to the Board of County Commissioners on program effectiveness and relevancy in meeting County goals and objectives.

D. Amount of Award

The amount of award will be based on the structure listed below.

1. 50-percent of the savings up to \$400 per full-time, and \$250 per part-time employee will be redistributed to employees regardless of the total amount of savings incurred.
2. Non-recurring, capital expenditures and reductions in uncontrollable expenditures will be factored out and will not be considered when calculating program savings.

E. Payment of Award

Monetary Awards

1. Awards shall be paid upon a recommendation from the Management Incentive Review Committee and County Administrator. The final decision for payment of an award shall require approval from the Board of County Commissioners.
2. Awards will consist of a one-time payment.

Board of County Commissioners
Leon County, Florida

Policy No. 81-1

Title:	Industrial Development Revenue Bond Financing
Date Adopted:	February 25, 1981
Effective Date:	February 25, 1981
Reference:	N/A
Policy Superseded:	N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Industrial Development Revenue Bond financing will be considered as an inducement to local and new prospective business expansion and relocation as a means to promote the diversification and expansion of the local economy, subject to the following conditions:

1. information and application requirements of the County are completely and accurately met.
2. all fees and charges are paid, if and when assessed.
3. the project, consisting of land acquisition, construction, renovation and/or equipment purchases, has not begun prior to IDRFB financing approval.
4. the project complies with all federal, state and local laws with regard to industrial development revenue bond financing eligibility.
5. except in unusual circumstances, the Board will give priority consideration for IDRFB financing to an industrial or manufacturing plant.

Board of County Commissioners
Leon County, Florida

Policy No. 94-1

Title: Policy for Landfill Rate Stabilization Reserve
Date Adopted: February 8, 1994
Effective Date: February 8, 1994
Reference: N/A
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

1. The Landfill Rate Stabilization Reserve is established to provide the following:
 - a. To accumulate funding for planned future capital project expenditures;
 - b. Funding for temporary and nonrecurring unexpected capital projects;
 - c. Funding to accommodate unexpected program mandates from other governmental bodies;
 - d. Funding for extraordinary operating expenses.
2. Use of funds from the Landfill Rate Stabilization Reserve will be limited to operation of the landfill.
3. Requests for use of Rate Stabilization Reserves must be approved by the Board of County Commissioners. The Board will use the procedures and evaluation criteria set forth in this policy. Such requests will be evaluated in insure consistency with other Board policy; the urgency of the request; the scope of services to be provided; the short- and long-term fiscal impact of the request; a review of alternative methods of funding or providing the services; a review for duplication of services with other agencies; a review of efforts to secure non-County funding; a discussion of why funding was not sought during the normal budget cycle; and a review of the impact of not funding or delaying funding to the next fiscal year.
4. The Rate Stabilization Reserve will be budgeted at the excess of revenues over expenditures after the requirements of the balance needed in the Contingency Reserve and Closure Reserve are met. The Rate Stabilization Reserve shall be separate from the Contingency Reserve and Closure Reserve. The County's budget will be amended at such time as the County Commission, by majority vote, authorizes the use of reserves. All requests to the County Commission for the use of Rate Stabilization Reserves shall be accompanied by an addendum prepared by OMB showing the year-to-date activity on the reserves account as well as the current account balance and the net effect on the account of approving the use of reserves.

Board of County Commissioners
Leon County, Florida

Policy No. 92-5

Title: Revenues

Date Adopted: March 10, 1992

Effective Date: March 10, 1992

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

The County will establish revenue practices to:

1. Provide that the County seek out and maintain a diversified revenue system to protect it from fluctuations in any one revenue source.
2. Provide that fees charged in enterprise operations will be calculated at a level which will support all direct and indirect costs of the enterprise.
3. Ensure that the County does not accept any revenue source whose terms of acceptance or collection may negatively affect the County.

**Board of County Commissioners
Leon County, Florida**

Policy No. 95-1

Title: Selecting and Managing the Method of Sale of Local Government Bonds

Date Adopted: February 28, 1995

Effective Date: February 29, 1995

Reference:
N/A

Policy Superseded: N/A

1. The Board of County Commissioners of Leon County, Florida hereby adopts this policy governing the method of sale decision, if it has the ability to make the choice. This policy shall ensure that:
 - a. the method-of-sale decision is based on an analysis of financial, market, transaction-specific and issuer-related factors;
 - b. an evaluation of the most appropriate method of sale is conducted for each issue;
 - c. this jurisdiction can defend its decision, irrespective of which method of sale it chooses.
2. Leon County shall use the competitive method of sale when conditions generally favoring that method of sale exist. In order to protect the public's interest and avoid concerns of allegations of impropriety in the selection or compensation of finance professionals, this jurisdiction should use the competitive method of sale when the following conditions exist:
 - a. the issuer is familiar with the market;
 - b. the issuer is a stable and regular borrower;
 - c. there is an active secondary market for the issuer's bonds;
 - d. the issue has a non-enhanced credit rating of A or above or can obtain a credit enhancement prior to the competitive sale;
 - e. the debt is backed by a strong and stable revenue source (i.e. full faith and credit or well-known and stable revenue stream);
 - f. the issue is neither too large nor too small;
 - g. the issue or debt instrument is not viewed as complex, innovative or requiring explanation;
 - h. interest rates are stable, market demand is strong and the market is not saturated with comparable credits; and
 - i. policy considerations, such as minority business enterprise (MBE) participation and regional firm participation, can be reasonably addressed through the Notice of Sale.

3. Specified practices shall be followed which ensure that negotiated sales are subject to a competitive and accountable process. In the event that a competitive sale is not feasible or practical based on an analysis of the above-mentioned factors, a negotiated sale may be appropriate. When negotiating a sale, however, the County should:
 - a. ensure fairness in the selection of underwriter by considering multiple proposals;
 - b. remain actively involved in each step of the negotiation and sale process;
 - c. ensure that adequate municipal finance expertise is available, either from in-house staff or independent finance professionals;
 - d. avoid conflicts of interest which may occur when the County's financial advisor also acts as its underwriter;
 - e. request financing professionals to disclose firms and personnel engaged to promote their interests;
 - f. request financing professionals to disclose joint proposals, joint accounts and fee-splitting arrangements, plans, parties and changes thereto; and
 - g. require submission of review and monitor compliance with "agreement Among Underwriters."
4. If neither the straight competitive nor the negotiated sale fits the Board's needs, it may consider alternative approaches, which may include but are not limited to:
 - a. combining the flexibility offered by negotiated sale and competition in the pricing offered by competitive sale by utilizing the legal framework of a negotiated sale but price the issue through solicitation of bids from interested underwriters; and
 - b. minimize cost of engaging outside expertise by "unbundling" financial services - hiring a financial advisor or investment banker only for certain portions of the sale.

Board of County Commissioners Leon County, Florida

Policy No. 96-3

Title:	Cellular Phones; Pagers; and 2-Way Radios
Date Adopted:	2/13/96
Effective Date:	2/14/96
Reference:	N/A
Policy Superseded:	N/A

It shall be the policy of the Board of County Commissioners that:

Issuance

1. Cellular phones, pagers and 2-way radios, owned and/or leased by the County, will be issued only to the following County personnel:
 - a. officials or employees whose job responsibilities require the use of such technology for the efficient provision of County services, or for the safety of employees in the provision of county services;
 - b. officials or employees whose job requirements include emergency response or on-call duties;
 - c. County Commissioners;
 - d. other personnel as approved by the County Administrator.
2. All purchases of such technology must be approved by the receiving department director and the County Administrator.
3. The Management Information Systems Division (MIS) shall be required to review and sign-off on all requests for such technology to ensure compatibility with existing systems, and to ensure that the County is receiving the best possible price for purchase and usage charges for such technology. Where possible, MIS shall standardize such technology purchase, repair, and usage contracts with private vendors or service providers.

Use

4. All County officials or personnel shall be required to sign a "Usage Agreement" with the County which shall denote the receipt of the technology and an understanding of the usage guidelines.
5. It shall be the responsibility of the MIS Division to develop and maintain usage contracts and guidelines.
6. All County personnel shall use this technology for County business, except when the personal use of this technology cannot be avoided. All expenses associated with any personal use of this technology shall be reimbursed to the County.
7. All expenses for the use of such technology by the County for County business shall be paid from the operating budget of the receiving department or division.

Board of County Commissioners
Leon County, Florida

Policy No. 95-12

Title: Computer Security
Date Adopted: October 10, 1995
Effective Date: October 10, 1995
Reference: N/A
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that the following procedures relating to computer security shall be followed in order to protect the integrity of the data entrusted to the officers and employees of the government:

1. All personal computer users shall use the screen saver password function supplied with the Windows product, if that Windows product has been installed on their computer.
2. All CJIS, CourtView, Library, Finance Information System, GIS and County Wide Area Network users shall change passwords as circumstances require and upon an authorized request of their supervisor or the Management Information Services Division. Automatic notifications shall be provided to users each 90 days.
3. All passwords used shall conform to the following standards:
 - a. shall contain no less than six and no more than eight characters;
 - b. shall contain at least one non-alpha character or
 - c. shall contain at least one numeric digit (not in the first or last position);
 - d. shall contain no more than two letters, in sequence, of the user-name;
 - e. shall contain no more than two letters, in sequence, of the reversed user-name.
4. Passwords shall not be written down, communicated to others or shared among employees. MIS shall provide program managers with technical assistance for file access whenever appropriate and necessary.
5. Management Information Services shall not provide password reconstruction assistance without a request from a supervisor.
6. Electronic data, or applications, brought to the County from another location shall first be checked for computer virus infections.
7. All personal computers attached to the County Wide Area Network shall be properly logged off and turned off at the end of the business day.

Employees of the Board of County Commissioners who violate this policy shall be subject to discipline as allowed under the Human Resource policies of the Board. Employees of other agencies who violate this policy shall be reported to their agency supervisor and may lose their network privileges.

Board of County Commissioners
Leon County, Florida

Policy No. 96-4

Title: Public Records Law and E-Mail
Date Adopted: 2/13/96

Effective Date: 2/14/96

Reference: Ch 119, F.S.; County Policy No. 91-1, "Photocopying Fees"
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners that all County employees shall comply with Florida's Public Records Law and State Retention Schedules for Public Records, including electronic mail (e-mail).

Chapter 119, Florida Statutes, defines florida's Public Records Law as follows:

All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, *regardless of physical form, or characteristics, or means of transmission*, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

E-mail created or received by Leon County employees in connection with official business, which perpetuates, communicates or formalizes knowledge, is subject to the public records law and, if not exempt, is open for inspection.

The "Rules and Procedures for Implementing Public Records Law and E-Mail" are attached to this policy and may be amended from time to time as required by law or as directed by the Board of County Commissioners.

**Board of County Commissioners
Leon County, Florida**

Policy No. 98-10

Title: Telephone Service
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: Policy No. 93-8, "Telephone Service," 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-8, adopted January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

County staff shall perform maintenance on County-owned telephones. Employees shall call the help desk of Management Information Services to report any problems with telephones or telephone service. Telephones may not be relocated within an office or within the Courthouse.

Requests for additional telephone lines or instruments, approved by department heads, Constitutional officers or others who have responsibility for individual agencies, shall be submitted to the help desk of Management Information Services.

Board of County Commissioners 11.00
Leon County, Florida

Policy No. 98-29

Title: Employee Innovation Program
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: N/A
Policies Superseded: Policy No. 94-7, "Employee Innovation Program," 11/15/94

It shall be the policy of the Board of County Commissioners of Leon County, Florida that Policy 94-7, adopted by the Board of County Commmissioners on November 15, 1994 is hereby repealed and superseded and a new policy adopted in its place, to wit:

A program for rewarding employees' suggestions for productivityand cost savings is hereby adopted and shall be administered in accordance with the provisions as outlined and attached to this policy. The Board of County Commissioners may amend these procedures from time to time as it deems appropriate in the best interest of its employees and the citizens of Leon County.

EMPLOYEE INNOVATION PROGRAM

The program of rewarding employee suggestions for productivity and cost savings shall be known as the Employee Innovation Program (EIP). The EIP shall recognize and compensate individual employees who propose procedures or ideas which are adopted and which result in eliminating or reducing County expenditures, provided such proposals are placed in effect. Each program and group director shall encourage employees to participate in the Employee Innovation Program.

The Awards of Excellence County-wide Committee, with the assistance of the Employee Relations Analyst, shall oversee the EIP. All applications submitted to will be circulated to all group directors and other appropriate employees for review and recommendations.

The acceptance of a cash award for any suggestion adopted through the program shall constitute an agreement by the employee that all claims, immediate and future, on Leon County, regardless of the use made of the suggestion, will be waived.

PROGRAM REVIEW STAFF

1. The Awards of Excellence County-wide Committee shall review all proposals.
2. The Awards of Excellence County-wide Committee shall be responsible for the activities listed below.
 - a. Communicate the programs to employees.
 - b. Assure that all program goals and requirements are met.
 - c. Review, investigate and evaluate all suggestions submitted by eligible employees and all recommendations from directors and managers concerning the suggestions.
 - d. Determine the net cost savings of each suggestion and keep employees informed as to the status of their suggestions during the evaluation process.
 - e. Make recommendations to the County Administrator who shall make a final decision as to whether the suggestion should be implemented. Payment of awards will require the County Administrator's approval.

DEFINITIONS

1. Suggestion - is a written idea proposed by an eligible employee of Leon County to the Awards of Excellence County-wide Committee. The suggestion must clearly indicate a specific method to improve a work process, add value to a service, reduce costs or increase revenues.
2. Net Increase in Revenue - is defined as the estimated first year net increase in revenue resulting from the adoption and implementation of a suggestion. Net savings means the estimated first year net cost avoidance/reduction resulting from the adoption and implementation of a suggestion.

3. Amortized- is defined as the cost of capital expenditures which will be spread over the useful life of the equipment or a period specified by the Finance Department. Direct labor costs of implementation will be considered first year costs. Indirect or administrative costs of implementation shall be amortized over a three-year period.
4. Intangible - is defined as suggestions involving improvements in working conditions, changes in procedures, revisions of forms, improvement in employee morale, or employee health or safety, for which the monetary value cannot be precisely determined.
5. Tangible - is defined as suggestions for which monetary value can be precisely determined.

ELIGIBILITY OF SUGGESTIONS

1. Suggestions shall be submitted in writing to the Awards of Excellence County-wide Committee or the Employee Relations Analyst in the Staff and Organizational Development Division.
2. All suggestions will be accepted for review by the Awards of Excellence County-wide Committee.
3. If a suggestion is not implemented, it is not eligible for an award.
4. If a suggestion has been implemented prior to submittal to the Employee Innovation Program, it must be submitted within ninety (90) days after implementation to be eligible for a cash award. The implementation date starts with the initiation of pilot programs, test periods or full implementation throughout the department. Suggestions must be submitted within 90 days of the department action.
5. Suggestions which are related to the following subjects shall not be eligible for consideration:
 - a. Complaints, criticisms, or other proposals which do not include constructive and specific means for improving County operations.
 - b. Suggestions which relate to the need for routine/and or regularly scheduled maintenance and repair work.
 - c. Suggestions which call for routine or normal safety practices.
 - d. Suggestions where it is obvious that the potential benefits from adoption would not offset the cost of processing.
 - e. Suggestions of salary increases, job reclassifications, liberalization of leave policies and similar improvements in employee compensation and benefits; (However, a suggestion dealing with a procedural improvement in a personnel matter, such as a proposed revision in a form, may be eligible for consideration by the Awards of Excellence County-wide Committee.

- f. Suggestions to have a "survey," "study," or "review" with a course of action to be taken in accordance with the findings.
- g. Suggestions for services and benefits to employees, e.g., vending machines, cafeteria services, rest room facilities, parking facilities or holidays.
- h. Joint submittals. These submittals may be submitted through the gain sharing program.
- i. suggestions which directly relate to the employee's performance of his or her assigned duties and responsibilities and in which the employee has authority to implement without authorization of the employee's supervisors.
- j. suggestions of stricter or more flexible enforcement of already existing rules, regulations, and policies which currently exist.

DUPLICATE SUGGESTIONS

1. If duplicate suggestions are received by the Awards of Excellence County-wide Committee, the one bearing the earliest date of receipt shall be eligible for consideration and all others shall be ineligible.
2. Each suggestion shall be reviewed to determine if it is a duplicate of, or similar to, a suggestion which has previously been submitted or adopted.

EMPLOYEE ELIGIBILITY

All employees under the Board of County Commissioners and directed by the County Administrator shall be eligible for the Employee Innovation Program with the following exceptions:

- a. Executive Service.
- b. Senior Management.

SPECIAL AWARD

The County Administrator may elect to reward Executive and Senior Management employees because of innovative suggestions which result in superior savings, innovative safety programs or service improvements.

- I. The suggestion must not directly relate to the employee's assigned duties and responsibilities. Program directors will submit names of the employee to the appropriate Group Director. Upon approval by the Group Director, the Awards of Excellence County-wide Committee will review the project and make a recommendation to the County Administrator.
2. The remainder of the process for determining the amount and payment of award will follow the criteria listed later in this policy.

MODIFICATION OF IDEAS

If administration modifies an employee's suggestion and adopts the suggestion in a different form, the employee shall be eligible for an award if the employee's suggestion was directly responsible for management's action.

TIME PERIOD ELIGIBILITY

An employee retains the right to an award for a period of twelve (12) months from the date that the suggestion was submitted, and/or during the period of review and implementation, whichever is longer.

SUGGESTION EVALUATION

1. The Awards of Excellence County-wide Committee will decide what evaluation process is needed to determine all matters of cost effectiveness and benefits of implementing the suggestion. The committee is responsible for notifying employees of the status of the suggestion.
2. The Awards of Excellence County-wide Committee may request that departments test the suggestion. During the test period, the department will maintain appropriate cost/and or savings information to allow the committee to evaluate the merits of the suggestions.

PATENTABLE OR NONPATENTABLE INVENTIONS

1. Suggestions which involve patentable or nonpatentable inventions shall be eligible for awards.
2. Awards for inventions shall be determined on the same basis as awards for other types of suggestions.
3. If a suggestion results in patent rights, the County shall own all rights if a monetary award is given and accepted.

METHODOLOGY FOR DETERMINING SAVINGS

Generally accepted accounting principles will be the guiding influence in determining the savings resulting from the implementation of an employee suggestion. Although each suggestion requires different approaches to determine its financial impact, the list below may be useful in identifying relevant cost elements.

1. Personal Services
 - a. Direct labor cost
 - b. Fringe benefits
 - c. Over-time costs

- d. Management and administrative costs

- 2. Equipment or Capital Costs

These costs will be amortized over the life of the equipment. The first year's depreciation is considered as an implementation cost, i.e. A \$10,000 equipment or capital cost with a five-year life expectancy will equal a \$2,000 annual implementation cost.

- 3. Energy or Fuel Costs

- 4. Materials and Supplies

- a. Materials - are defined as the raw materials or purchase parts comprising a major component of the activity under investigation.

- b. Supplies and tools - are defined as items used in order to perform the service, i.e. forms, secretarial supplies, tools, etc.

- 5. Financial Elements

- a. Interest savings or expense.

- b. Inflation considerations.

- 6. Miscellaneous Costs

Some additional elements which might be considered are listed below.

- a. Communications (telephone, mail, fax, etc.).

- b. Safety and security measures.

- c. Contractual arrangements (rentals, leases, etc.).

- d. Transportation costs.

- e. Maintenance and repairs.

- f. Inventory levels and down time for equipment.

AWARD CRITERIA

Tangible Awards will be evaluated solely on amount of net savings. Intangible awards will be evaluated on the criteria listed below.

- I. Operational Efficiency/Effectiveness: Each suggestion will be evaluated to determine to what degree the organization's efficiency/and or effectiveness has been enhanced by the implementation of the suggestion.

2. Public Image: Each suggestion will be evaluated to determine what degree of the organization's public image has been enhanced by the implementation of the suggestion.
3. Physical Working Conditions: Each suggestion will be evaluated to determine to what degree the work environment and workplace safety has been enhanced by the implementation of the suggestion.
4. Degree of Innovation: Each suggestion, will be evaluated to determine to what degree of innovative and creative effort evidenced by reviewing the following:
 - a. Does the suggestion constitute a new "invention" or design of a new product, procedure or system?

or
 - b. Does the suggestion constitute a new application of an existing product, procedure or system?

or
 - c. Does the suggestion constitute an introduction of an existing product, procedure or system to an additional Leon County activity?
5. Extent of Application: Each suggestion will be evaluated to determine the extent to which benefits may be directly or indirectly realized. The following issues will be considered:

Does the suggestion have applicability to:
 - a. A local operation only (one program, section or department)?
 - b. Several programs, sections or departments?
 - c. An entire department?
 - d. Several departments?
 - e. The entire County?
6. Implementation: Each suggestion will be evaluated to determine the level of time and effort required for implementation.
7. Degree of Thoroughness: Each suggestion will be evaluated to determine the degree of thoroughness evidenced by examining the following:
 - a. How thoroughly researched was the suggestion?
 - b. How thoroughly developed was the solution (i.e., product, procedure or system) presented by the suggestion?

8. Impact on Employee Morale: Each suggestion will be evaluated to determine to what degree employee morale has been enhanced by the implementation of the suggestion.
9. Conservation of Property and Materials: Each suggestion will be evaluated to determine to what degree County property and/or materials have been conserved by the implementation of the suggestion.
10. Health, Safety and Life of Citizens: Each suggestion will be evaluated to determine the impact of the suggestion upon the health, safety and life of citizens

RANKING AND POINT DETERMINATION FOR INTANGIBLE AWARDS

Points for each category will be awarded based on the criteria listed below. There are a total of ten (10) categories and a possible of **fifty** (50) points.

Category: Operational Efficiency and/or Effectiveness

0=	None
1=	Very Little Impact
2=	Little Impact
3=	Moderate Impact
4=	High Impact
5=	Extremely High Impact

AMOUNT OF AWARD

1. Tangible suggestion awards are 10 percent of the estimated first year's net savings (gross savings less any expenses of converting to the adopted suggestion during the first year of implementation) or net increase in revenue. The minimum award amount is \$50 and the maximum award amount is \$2,500.00
2. Intangible suggestion awards are based on the criteria outlined in the Awards Criteria section. The minimum award amount is \$50 and the maximum award amount is \$500.

Point Range	Award Amount
1-5	\$ 50
6-10	\$ 100
11-15	\$ 150
16-20	\$ 200
21-25	\$ 250
26-30	\$ 300
31-35	\$ 350
36-40	\$ 400
41-45	\$ 450
46-50	\$ 500

PAYMENT OF AWARDS

1. Awards for tangible productivity suggestions shall be paid after adoption of the suggestion, and careful determination of the net savings over the first year of implementation.
2. Payments for intangible awards will be paid after successful adoption and implementation.

3. Awards will consist of a one-time lump sum payment.
4. If the first year's estimated savings were incorrect and the error resulted in overpayment, the employee shall not be required to return any portion of award.
5. Payment of awards will require the County Administrator's approval.

SUGGESTION SUBMITTAL PROCEDURE

Suggestions must be identified on an Employee Innovation Award Application Form submitted to the Awards of Excellence County-wide Committee or the Employee Relations Analyst. All employees will have access to copies of the blank application form. The committee will send a letter to the employee acknowledging receipt of the suggestion and thanking them for participating in the program.

The identity of the employee who submits the suggestion will not be revealed outside of the Awards of Excellence County-wide Committee or Staff and Organizational Development staff. Only after a suggestion has been accepted by the committee and only after permission is received from the employee, can the employee's name be revealed to others.

The Awards of Excellence County-wide Committee will forward the suggestion to the appropriate department director or liaison for evaluation. It will be the responsibility of the department director to assign one or more technically qualified employees to evaluate each suggestion submitted. These evaluations should be completed within 30 days after receipt. If the evaluation of the idea requires additional review time, the department shall notify the Awards of Excellence County-wide Committee or the Employee Relations Analyst in writing.

All recommendations for adoption or rejection must include justification for the decision and must be signed by the Department Director prior to forwarding it to the committee for disposition.

The committee will review and further evaluate the suggestion after receipt of the signed evaluation from the Department Director. After thoroughly reviewing the suggestion, the committee will make its final recommendation to the County Administrator. The employee will be notified within five (5) working days of the County Administrator's final decision.

A letter of recognition will be sent to the employee upon official acceptance of the suggestion by the *County Administrator. A copy of the letter will also be sent to the employee's Department Director, Group Director and the Board of County Commissioners. A copy of the letter will also be placed in the employee's personnel file.

EMPLOYEE INNOVATION PROGRAM APPLICATION FORM

Copies of the Employee Innovation Program Application Form, instructions and evaluation sheet will be available from any Awards of Excellence County-wide Committee chairperson or the Staff and Organizational Development Division office. Also, electronic copies will be available from the Staff and Organizational Development Division office. The assignment of evaluation points may be modified by the County Administrator as long as the award criteria described herein are followed.

Board of County Commissioners 11.01
Leon County, Florida

Title: Personnel Policy and Procedures
Date Adopted: December 19, 1995
Effective Date: December 19, 1995
Reference: N/A
Policies Superseded: N/A

The Leon County Personnel Policy and Procedures Manual may be downloaded from the Internet at the following location:

<http://www.co.leon.fl.us/admin/lcjobs.htm>

Board of County Commissioners

Leon County, Florida

Policy No. 98-17

Title: Safety and Risk Management Policies
 Date Adopted: October 13, 1998
 Effective Date: October 13, 1998
 Reference: N/A
 Policy Superseded: Section 9.10, Risk Management Policies and Procedures Manual, adopted January 1993

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Section No. 9.10, entitled "Risk Management Policies and Procedures Manual" and adopted by the Board of County Commissioners January 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

SECTION 1: RISK MANAGEMENT POLICY STATEMENT

To establish policies and procedures with respect to Risk Management and to give specific and general authority to the Human Resources/Risk Management Director, or designee, to advise in all matters relating to Risk Management as stated herein.

A. Objectives:

1. The protection of the County against the financial consequences of accidental losses which are catastrophic in nature and to preserve County assets and public service capabilities from destruction or depletion.
2. The minimization of the total long-term cost to the County of all activities related to the identification, prevention and control of accidental losses and their consequences.
3. The establishment, to the fullest extent possible, of a safe work and service environment in which employees, as well as members of the general public, can enjoy safety and security in the course of their daily pursuits.

B. Specific Areas of Responsibility

1. The County Commission is responsible for setting all risk management policies.
2. The Human Resources/Risk Management Director, or designee, is responsible for:
 - a. Overall: The Human Resources/Risk Management Director, or designee, shall advise the County Administrator on, and be responsible for: (1) identifying and measuring risks of accidental loss; (2) selection and recommendation of appropriate risk management techniques for specific exposure problems; (3) developing and maintaining an information system in coordination with existing systems for timely and accurate recording of losses, claims, insurance premiums, and other related costs; (4) analyzing and allocating insurance premiums, uninsured losses, and other risk costs to the budgetary units; and (5) establishing, implementing, and monitoring an integrated county wide safety program.
 - b. Property, Casualty and Liability: The Human Resources/Risk Management Director, or designee, shall develop guidelines for all insurance exposures and advise the County Administrator on appropriate actions. He/she shall act on behalf of Leon County in all matters relating to property, casualty, and liability exposures with Commission approval.
 - c. Workers' Compensation: The Human Resources/Risk Management Director, or designee, shall ensure that the County is in full compliance with the Workers' Compensation law and shall investigate and evaluate claims as deemed appropriate.
 - d. Safety: The Human Resources/Risk Management Director, or designee, shall be responsible for establishing, implementing and monitoring an integrated county wide safety program.
 - e. Risk Retention: With regard to risks of accidental loss, it shall be the County's policy to self-insure all losses which occur with predictable frequency and which have no significant impact

on the County's fiscal position.

3. Each Department Head is responsible for:
 - a. Reporting changes in (a) building use or occupancy, (b) equipment, and (c) personnel to the Human Resources/Risk Management Director, or designee.
 - b. Keeping the Human Resources/Risk Management Director, or designee, informed of new activities and functions performed or anticipated to be performed.
 - c. Contributing to the maintenance of a perpetual inventory of liability hazards.
 - d. Cooperating with the Human Resources/Risk Management Director, or designee, in his/her investigation of loss exposures and claims and in the operation of an effective loss prevention program.
 - e. Reviewing contracts with the Human Resources/Risk Management Director, or designee, before signing them so that any increase or decrease in the institution's contractual liability can be properly identified and controlled.
4. The Legal Counsel is responsible for:
 - a. Reviewing with the Human Resources/Risk Management Director, or designee, all contracts entered into by the institution and to identify and reduce any contractual liability being assumed, with attempt being made to transfer such liability to the other party of parties.
 - b. Notifying the Human Resources/Risk Management Director, or designee, of changes in laws which may affect the institution's liability.
 - c. Providing legal assistance in examination of contracts.
 - d. Providing legal assistance in handling liability claims against the County in conjunction with liability carriers as needed.

SECTION 2: SAFETY COMMITTEE

The Safety Committee meets on the third (3rd) Thursday of each month. The Committee is responsible for the review of all accidents and/or injuries which occurred during the preceding month, referring appropriate cases to the Accident Review Board for further consideration and/or action. The Committee shall consist of the Safety and Loss Control Coordinator and up to 10 representatives as follows:

2 representatives	Department of Administration
3 representatives	Management Services
3 representatives	Public Works
2 representatives	Community Development

A. Responsibilities

1. The Safety Committee shall review all accidents and/or injuries which occurred during the preceding month, referring appropriate cases to the Accident Review Board for further consideration and/or action.
2. The Safety Committee will be responsible for selecting five (5) of its members to serve on the Accident Review Board. The Accident Review Boards meets on an "as needed" basis. In addition to the five (5) members selected from the Safety Committee by its membership, the Safety and Loss Control Coordinator and the County Attorney or his/her representative, also serve on the Accident Review Board.

The Accident Review Board is responsible for the review of all accident reports

submitted by the Safety Committee. Upon further deliberation, which may and should include interviewing the parties involved, the Accident Review Board may recommend to the responsible authority further corrective and/or disciplinary action if deemed appropriate.

3. The Safety Committee will be responsible for assisting the Safety and Loss Control Coordinator in updating the workplace safety program by evaluating injury and accident records, identifying trends and patterns, formulating corrective measures to prevent recurrence, and referring appropriate cases to the Accident Review Board for further consideration and/or action.
4. The Safety Committee will be responsible for assisting the Safety and Loss Control Coordinator in evaluating employee accident and illness prevention programs, and promoting safety and health awareness and co-worker participation through continuous improvements to the workplace safety program.
5. Safety Committee members will participate in safety training and be responsible for assisting the Safety and Loss Control Coordinator in monitoring workplace safety education and training to ensure that it is taking place, that it is effective, and that it is documented.

SECTION 3: DEFINITIONS

Accident - An unintended, unforeseen event which results in an injury to personnel and/or damage to property and equipment.

Broker - An individual or company who arranges and services insurance policies on behalf of the insured or self-insured. The individual or company is the representative of the insured, although he/she may receive compensation from the company in the form of a commission from the company.

Claims - All actual or alleged responsibilities to others arising out of the ownership, maintenance and use of all County property, all operations of the County, and all acts or omissions of the County's elected officials, appointees, agents and employees while acting within the scope of official duties.

Consulting Insurance Agency - Contracted agency provides consulting services, claims management, analysis of losses for actuarial and fiscal planning, and most importantly, provides services as a liaison with the County's third party administrators.

County Premium - Premiums paid by the departments; in summation are referred to as the County Premium.

Damages - The amount claimed or allowed as compensation for injuries sustained or property damaged through the wrongful acts or the negligence of another.

Deductible - A provision whereby an insured may be required to pay part of a loss, the insurance being excess over the amount of the deductible.

Disabling or Lost Time Injury - Any injury which results in lost time beyond the shift on which the injury occurred.

Insurance Service Fund - This fund includes the self-insured retention account(s) for the payment of losses not covered by an insurance policy with an outside agency; for payment or administrative costs, expenses, settlements, and judgements related to worker's compensation claims; administrative costs for the Leon County Risk Management Program, and funds for the payment of liability, property and other insurance policies of the County.

Liability - A debt or responsibility, or an obligation which may arise by a contract made by a tort committed.

Losses - Loss of or damage to real and personal property not recoverable from insurance or any other source.

Medical Payments - Insurer or party liable agrees to reimburse or pay up-front, medical expenses on behalf of injured person.

Minor or First Aid Injury - An injury which does not result in loss of time from the job beyond the work shift on which the injury occurred.

Negligence - Failure to exercise the degree of care that would be expected from a reasonable and prudent person.

Physical Hazard - A condition of the subject of insurance which create or increases the chance of loss, such as structural defects, occupancy, or similar conditions.

Premium - The payment by a person or department for insurance coverage or participation in an insurance policy.

Property Damage Incident - An accident or incident which produces damage or loss to property, facilities, or equipment.

Reserves - Liability funds set up for particular purposes and expenditures.

Risk - In the abstract, used to indicate a condition of the real world in which there is a possibility of loss; also used by insurance practitioners to indicate the property insured or the peril insured against.

Risk Management - A scientific approach to the problem of dealing with pure risks facing an individual or an organization in which insurance is viewed as simply one of several approaches for dealing with such risks.

Subrogation - An assignment or substituting of one person for another by which the rights of one are acquired by another in collecting a debt or a claim, as an insurance company or self-insured stepping into the rights of a policyholder indemnified by the company.

Third-party Administration - Someone other than the insured and the insuring company who shall investigate, estimate and pay benefits, if any, to applicable claims.

Workers' Compensation - A system of providing for the cost of medical care and weekly payments to injured employees or to dependents of those killed in industry in which absolute liability is imposed on the employer, requiring him to pay benefits prescribed by law.

SECTION 4: GENERAL LIABILITY

Leon County is a member of the Florida Association of Counties Trust (F.A.C.T.) Program. Claims processing reviews and program administration will be conducted by the contracted third-party administrator. A self-insured retention (SIR) or deductible will be applicable.

SECTION 5: SELF-INSURED RETENTION ACCOUNT

Whereas Leon County recognizes the value of establishing specified deductible levels on certain lines of coverage, self-insuring certain areas of liability and the payment of certain claims, for cause, financial savings, or other acceptable reason, there has been established a "Self-Insured Retention" account(s).

A. Areas of Loss Which are Eligible for Coverage Consideration

1. The deductible portion of those County property losses that are included in one of the County's active insurance policies.
2. Damage to property owned by someone other than the County, for which the County may be responsible.
3. Injury to someone other than a County employee, for which the County may be responsible.
4. Any other loss in which the County may be considered the responsible party.

B. Coverage Consideration Procedures

1. In the event of a loss, the Human Resources/Risk Management Director, or designee, will determine if there is any insurance coverage on the item in question. If the item is insured and the loss is above the deductible, if a deductible is applicable, the Human Resources/Risk Management Director, or designee, will make a determination whether or not to file an insurance claim.
2. If the appropriate insurance coverage has a deductible and the loss is below the deductible, or found not to be covered by insurance, the Human Resources/Risk

- Management Director, or designee, will evaluate the loss information to determine eligibility for payment under the Self-Insured Retention account(s).
3. If the loss is not eligible for payment from the SIR account(s), notification will be sent to the appropriate department.
 4. If the loss is covered, it will be processed utilizing the appropriate procedures.

SECTION 6: GENERAL LIABILITY CLAIMS

All claims presented by the general public shall be referred to and filed with the Division of Human Resources/Risk Management. The Risk Manager, or designee, will file the appropriate claim notice to the County's insurance carrier or take other appropriate action.

SECTION 7: PROPERTY LOSSES

All losses due to fire, theft, vandalism, weather, etc., shall be recorded. This includes vehicles, buildings, equipment, tools, etc.

If the value of the item lost exceeds \$100 in value, a written report shall be filed with the Division of Human Resources/Risk Management. The Risk Manager, or designee, will be notified by phone or person immediately upon realization that the loss is going to exceed \$1,000 in value.

Where appropriate, the Fire Department and/or law enforcement shall be notified.

The Human Resources/Risk Management Director, or designee, shall review the circumstances surrounding the loss to determine if it is covered by insurance, or falls under the County's Self-Insured Retention. If the item in question is not covered by insurance, the Division of Human Resources/Risk Management Director, or designee, will so notify the responsible department and advise them as to the availability or unavailability of funds under the County's Self-Insured Retention. If the item is covered under the County's insurance program, the Division of Human Resources/Risk Management Director, or designee, shall proceed with the processing of an insurance claim.

SECTION 8: DRIVER POLICY

A. Qualifications

1. **Commercial Drivers License**
Drivers of vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more; designed to transport 16 or more passengers, including the driver; or used in the transportation of hazardous materials in a quantity requiring placarding under the Department of Transportation Hazardous Materials Regulations (HMR), must have a single, state issued Commercial Driver's License meeting minimum Federal requirements.
2. **Licensing Criteria to Obtain/Maintain County Vehicle Driving Privileges**
The following are the minimum standards to be met by a prospective or current employee who would or does operate a County automobile, motorcycle, truck, piece of equipment or any other similar device. All such vehicles will be referred to as vehicles within this section.
3. **Criteria necessary to obtain the privilege of operating a County vehicle**

- a. Have a current Florida operator or chauffeur license.
- b. Reached the age of 18 or older.
- c. Meet the County's criteria for acceptable driver status (refer to paragraph 3 below).

B. Motor Vehicle Record

1. A copy of the Motor Vehicle Record (MVR) shall be obtained from each state where a driver holds a license, to ascertain that the applicant has a valid license and to review the driver's past record. The MVR shall be obtained or accessed via computer annually for all drivers and reviewed. It shall be reviewed with the driver and made part of the driver's file.
2. Drivers required to have a Commercial Driver's License must report convictions for violations of motor vehicle traffic laws and ordinances other than a parking violation, in any type vehicle, to their immediate supervisor within 30 days.
3. Driving Records/Insurability
Employees hired on or after April 1, 1987 whose positions require a driver's license must maintain a driver's license record that meets the following vehicle insurance standards:
 - a. Record must be free of these violations in the past three (3) years:

D.U.I. or D.W.I	Reckless driving
Suspended or revoked license	Vehicular homicide
Fleeing or attempting to elude police	Drag racing
Three or more accidents and/or violations	
 - b. Record must have no more than one (1) moving violation (parking, failure to renew, muffler, etc. will not be considered as a moving violation) in a one year period.

An employee hired after 4/1/87 who becomes uninsurable as defined by the standards above may be subject to adverse employment actions including, but not limited to demotion, transfer, or termination.

SECTION 9: SECURING COUNTY VEHICLES/EQUIPMENT

- A. Whenever a County vehicle or piece of equipment is left parked or unattended, all windows are to be closed and the doors locked, if so equipped.
- B. Equipment that does not have an ignition key and can be started by pushing a button or other like device shall be secured by removing the ignition wire or other such device.
- C. Vehicles/equipment, etc. shall not be left overnight on an unsecured construction site unless it is impossible or impractical to move same to one of the County's compounds.

SECTION 10: VEHICLE ACCIDENTS

All motor vehicle accidents shall be reported, regardless of the severity, immediately upon their occurrence, and shall be investigated by the appropriate law enforcement agency. The Risk Manager, or designee, shall be notified by the affected department and, whenever possible, will report to the accident site.

Affected department(s) are required to complete a Leon County Accident Report and to coordinate damage estimates with Fleet Management.

SECTION 11: EMPLOYEE ACCIDENTS/INJURIES

All personal injury accidents requiring medical attention beyond basic first aid shall be reported immediately to the employee's supervisor. The County shall provide treatment and care as deemed necessary for employees injured during the scope and performance of their job, but will not be held liable for medical charges incurred through unauthorized treatment.

All authorized medical costs are paid in full. This includes, but is not necessarily limited to, hospital costs, physician fees, medication and rehabilitation expenses.

If an employee is unable to work and the disability exceeds seven days, that employee will receive payment from the County's Workers' Compensation Program. County employees who are absent from work due to a disability or injury received during the scope and performance of their job and who are receiving benefits under the provisions of the workers' Compensation Law shall be entitled, if they so elect, to utilize any unused sick leave to supplement their weekly income from Workers' Compensation payments not to exceed their regular salary. If all accumulated sick leave is exhausted, the employee can then use accumulated annual leave, if he/she so elects, to supplement weekly income not to exceed his/her regular salary.

SECTION 12: WORKERS' COMPENSATION

Workers' Compensation is the vehicle utilized by the County to provide financial assistance to employees temporarily disabled due to a job-related injury. Leon County, as a qualified self-insured entity under the Workers' Compensation laws of the State of Florida, utilizes a third-party administrator to provide claim services with respect to claims against Leon County.

The third-party administrator, under contract on behalf of Leon County, shall examine, investigate, estimate and pay benefits, if any, to applicable workers' compensation claims.

The County has budgeted a Workers' Compensation Fund Program or self-insured loss account(s) that shall be used for the payment of administrative costs, expenses, settlements, judgments and claims of the County. Premiums will be paid by departmental billing and the sum of these premiums will be referred to as "the County Premium".

SECTION 13: INSURANCE REQUIREMENTS FOR CONTRACTORS AND LESSEES

The following insurance requirements have been established in order to ensure that the County's interests are properly protected regarding liability exposures.

These requirements provide proper insurance be included in County contracts. This will also aid in the standardization of such requirements in all areas of similar exposures. The following are subject to modification in order to meet exposures presented in specific activities.

It is recommended draft copies of all contracts that are being prepared by a department be forwarded the County's Human Resources/Risk Management Director, or designee, for review and approval in concurrence with submittal to the County Attorney's Office.

A. Insurance Requirements for Contractors

Bidders' attention is directed to the insurance requirements below. Bidders should confer with their respective insurance carriers or brokers to determine in advance of bid submission the availability of insurance certificates and endorsements as prescribed and provided herein. If an apparent low bidder fails to comply strictly with the insurance requirements, that bidder may be disqualified from award of the contract.

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

1. Minimum Limits of Insurance

Contractor shall maintain limits no less than:

- a. General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- b. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
- c. Workers' Compensation and Employers Liability: Insurance covering all employees meeting Statutory Limits in compliance with the applicable state and federal laws and Employer's Liability with a limit of \$500,000 per incident.

2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim

administration and defense expenses.

3. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

a. General Liability and Automobile Liability Coverages

1. The County, its officers, officials, employees and volunteers are to be covered as insureds as respects; liability arising out of activities performed by or on behalf of the Contractor, including the insured's general supervision of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.
2. The Contractor's insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
4. The Contractor's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.

b. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County.

4. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A:VII.

5. Verification of Coverage

Contractor shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time.

6. Subcontractors

Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

B. Insurance Requirements for Lessees (No Auto Risks)

Bidders' attention is directed to the insurance requirements below. Bidders should confer with their respective insurance carriers or brokers to determine in advance of bid submission the availability of insurance certificates and endorsements as prescribed and provided herein. If an apparent low bidder fails to comply strictly with the insurance requirements, that bidder may be disqualified from award of the contract.

Lessee shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the Lessee's operation and use of the leased premises. The cost of such insurance shall be borne by the Lessee.

1. Minimum Limits of Insurance

Lessee shall maintain limits no less than:

General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the County, its officers, officials, employees and volunteers; or the Lessee shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

3. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

a. General Liability and Automobile Liability Coverages

1. The County, its officers, officials, employees and volunteers are to be covered as insureds as respects; liability arising out of activities performed by or on behalf of the Lessee, including the insured's general supervision of the Lessee; products and completed operations of the Lessee; premises

owned, occupied or used by the Lessee; or automobiles owned, leased, hired or borrowed by the Lessee. The coverage shall contain no special limitations on the scope of protections afforded the County, its officers, officials, employees or volunteers.

2. The Lessee's insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and volunteers. Any insurance of self-insurance maintained by the County, its officers, officials, employees or volunteers shall be excess of the Lessee's insurance and shall not contribute with it.
3. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the county, its officers, officials, employees or volunteers.
4. The Lessee's insurance shall apply separately to each insured against whom claims is made or suit is brought, except with respect to the limits of the insurer's liability.

b. **All Coverages**

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County.

4. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A:VII.

5. Verification of Coverage

Lessee shall furnish the County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by the County before work commences. The County reserves the right to require complete, certified copies of all required insurance policies at any time.

SECTION 14: MANAGEMENT COMMITMENT AND THE SAFETY AND RISK MANAGEMENT POLICY

The health and well-being of all employees depends upon the cooperative participation of both employees and management to ensure a healthy and safe workplace for everyone. Management is committed to striving to provide each and every employee with a healthy and safe workplace through the exchange of ideas between employees and management and the continuing development of an ongoing safety program including:

- * Promoting Safety Committee participation,

- * Providing health and safety education and training, and
- * Reviewing and updating workplace safety rules.

The provision of safe and healthful working conditions is a major concern of every County supervisor. Unsafe acts or conditions can cause accidents, and both of these are under the supervisor's control. Unsafe working conditions shall be minimized by identifying hazards, correcting unsafe work practices and using proper equipment. Management will strive to maintain positive control toward prevention of unsafe acts by employees. If an accident occurs, the most important factor in accident investigation is to determine how to prevent a recurrence of the accident.

All safety and health rules and regulations are to be carefully observed so that employee accidents and injuries may be kept to a minimum. **These regulations cover all employees; whether full-time, part-time, temporary, seasonal, etc.** Failure to comply with these regulations may subject the employee and/or supervisor to disciplinary action.

Whenever a condition or practice is found to exist which could reasonably be expected to cause death or serious physical harm, or serious property damage, the affected operations'/employees' supervisor has the authority to take whatever action is necessary to correct the noted condition or practice, including the stoppage of the project or action in question.

Each employee has a personal responsibility to prevent accidents. It is the duty of each employee to accept and follow established safety regulations and procedures. Employees are expected to report all unsafe work conditions, accidents, and injuries immediately to their supervisors without concern for retaliation, penalty, or other disincentive.

All staff, participating guests, and visitors shall receive appropriate safety training. **Supervisors are responsible for ensuring that employees and guests under their supervision receive this training** to be fully informed about possible occupational health hazards and know how to work safely. Safety orientation should take place within the first month of employment. The level and complexity of the training depends on the type of exposures, building locations, and potential hazards.

State and Federal regulations spell out several specific health and safety training requirements for special hazards. These include, but are not limited to, radiation safety, hazard communication for exposure to hazardous substances, respirator use, hearing conservation, and confined space hazards.

All employees shall be retrained periodically by their supervisor on safety rules, policies, and procedures, and when changes are made to the safety manual. Individual employees will be retrained after the occurrence of a work related injury caused by an unsafe act or work practice, and when a supervisor observes employees displaying unsafe acts, practices, or behaviors.

SECTION 15: PROTECTIVE CLOTHING AND EQUIPMENT

When it is impractical or impossible to place a guard over the source of the hazard, then it becomes necessary to place the guard on the worker. This is done by wearing approved personal protective apparel such as hard hats, safety belts, safety goggles, traffic vests, face shields, gloves, aprons, toe guards, etc. All employees shall be properly protected.

A. Clothing

Approved personal protective clothing is required in those areas of operation where such clothing is necessary to protect the employees from recognized hazards.

All employees working in areas or operations where the following personal protection clothing is required shall wear said clothing as long as the hazard is present or may be present.

Appropriate clothing is provided and required when working for the County. Said clothing shall not interfere with the performance of an employee or expose him/her to unnecessary hazards. Long sleeve shirts may be required on certain operations.

B. Special Clothing

Special clothing may be required to protect an employee from impacts and dust, fire and heat, vapors, moisture and corrosive liquids as well as temperature changes. Each department/division will be responsible for identifying those areas and operations in which such clothing is necessary, including the type of clothing required. The Safety and Loss Control Coordinator will be available to assist whenever necessary.

1. Gloves

Appropriate gloves will be provided and their use required when an employee is working in an area where he/she is exposed to injury to the hands or fingers from material, machinery, heat, chemicals, electrical contact, sharp objects, etc.

2. Protective Footwear

For those employment positions designated by the County departments/divisions as requiring safety shoes, employees in these positions shall wear the issued safety shoes. **Any employee not wearing safety shoes as required will not be allowed to work until such time as he is wearing the issued/approved shoes.** Refusal to wear the safety shoes will result in disciplinary action. Any department director, division director, or supervisor failing to enforce the provisions of these guidelines shall also be subject to disciplinary action.

Exceptions -

- a. An employee may not be required to wear the issued safety shoes when he/she has obtained a certification from his/her doctor which states that the wearing of such shoes creates extreme physical hardship or the wearing of such shoes may cause the employee further injury. In such cases, the physician shall state either a time frame for not wearing the shoes or recommend an alternative method of foot protection, i.e. an orthopedic prescription.

- In either case, it shall be the responsibility of the employee to ensure that the personal footwear he or she is wearing does not unreasonably expose him/her to job hazards wherein he/she may be injured by wearing inappropriate footwear.
- b. For employees waiting on delivery of safety shoes, they may provide their own shoes, providing those shoes do not unreasonably expose them to the likelihood of injury due to the hazards of the job. This will be the responsibility of the department/division to determine and monitor.
 - c. Employees whose issued shoes become temporarily unserviceable due to damage, contamination, or other reasons must bring this to the attention of their supervisor. Supervisors shall have the discretion to approve the employee temporarily not wearing the issued shoes while they are in for repair or cleaning. The employee shall not be allowed to wear personal footwear which would unreasonably expose the employee to job hazards wherein he may be injured by wearing inappropriate footwear.

The following are minimum foot protection requirements for those employees involved in job activities where such protection is normally required:

1. Safety shoes with the appropriate protective features for the various types of work environments as determined by the department/division head shall be utilized.
2. Each foreman/supervisor shall check to see that proper footwear is being utilized by employees.
3. Violations of this regulation shall be brought to the attention of the appropriate department/division head for necessary action.

Application

Departments/divisions shall make the determination as to the application of safety shoes for each individual position. After supervisors have identified those positions requiring safety shoes, department/division directors shall review, approve and maintain a list of those positions. A copy of this list shall be forwarded to the Safety and Loss Control Coordinator and Purchasing Division with a copy made available to supervisors for their reference.

Replacement Safety Shoes

The County is generally committing to provide **one pair of safety shoes per year** as needed. However, as an item of clothing, it is understood that safety shoes will wear out at different rates, dependent upon a number of variables. Among those variables are: the type of job, the amount of wear required for the job, the size and gait of the employee, and other stresses put on the shoe.

The safety shoes issued by the County are intended to be worn only during those work activities associated with employment by the County. Any other wearing of these shoes should be considered an improper usage of County equipment, and handled

appropriately by departmental personnel. Safety shoes are considered part of the work uniform, and supervisors should routinely monitor employees for abuses or improper care of the shoes.

It is difficult, if not impossible, to project a unilateral standard for issuing replacement safety shoes to County employees. Therefore, for those departments or divisions where, through the nature of the work, the shoes will wear at a faster rate, it may be necessary to issue more than one pair of shoes per year. In those instances, after providing for an inspection of the wear of the shoes, departments may authorize additional purchases, consistent with their budget authority. This should be approved by the supervisor subject to approval of the division/department director as applicable.

Termination/Transfer-Reimbursement for Cost of Shoes

Any employee who has been issued safety shoes and terminates employment within 3 months of receiving his/her shoes, will be required to reimburse the County under the terms of the following reimbursement schedule: if it is within 30 days - 90%, within 60 day - 60%, and within 90 days - 30% of the County's purchase price of the shoes.

If within three (3) months of being issued safety shoes, an employee voluntarily transfers to another County position which does not require safety shoes, the employee may either turn in the old shoes to his/her department, or pay for them based on the prorated reimbursement schedule stated above.

3. Lumbar (back) Supports

To maximize safe working conditions for employees, Leon County shall issue and mandate the wearing of personal protective equipment, including back support belts in those employment situations where hazards exist, and where the wearing of such personal protective equipment would reasonably prevent injury to the employee. **Departments/divisions shall make the determination as to the application of lumbar supports for each individual position. Lumbar supports do not replace the principles of proper lifting and such guidelines shall still be followed.**

Recommended Usage:

- a. Lifting heavy or awkward objects - examples: moving chicken cages, loading Bti in the helicopter, sodding, tree trimming and removal, emptying garbage cans, laying sandbags, pipe, block, brick, hay bales and straw.
- b. Performing maintenance on heavy equipment or loading and moving heavy equipment to and from job sites.
- c. Operating chainsaws, augers, mowers, jumping jacks, jack hammers.
- d. Removing logs and other substantially heavy or awkward debris from ditches, roadsides, etc. Support belts are recommended when performing any maintenance of culverts.
- e. Operating slope mowers, tractors, bulldozers, end loaders, or any other heavy equipment being operated on rough or uneven terrain.

Additional Uses:

1. Hand cutting on ditches.
2. Ground larviciding.
3. Performing domestic mosquito inspections.
4. Driving dump trucks, motor graders, rollers, etc. unless on rough terrain
5. Shoveling, raking, sweeping, using bush axe.

Note: **Departments/divisions shall make the determination as to the application of lumbar supports for each individual position.** Special requirements may be established for employees with existing back problems.

Exceptions, application, issuing of back supports, and procedure for providing/replacing back supports are the same as those for safety shoes listed above.

Termination/Transfer-Reimbursement for Cost of Belts

Any employee who has been issued back support belts and terminates his or her employment, will be required to either return the back support belt or reimburse the County's purchase price of the belt.

If an employee voluntarily transfers to another County position which does not require safety belts, the employee may either turn in the back support belts to his/her department, or pay for it.

C. Eye Protection

The use of eye protection is required where there is reasonable probability that an injury can be prevented by such equipment. This regulation shall apply to such operations, processes, or work which involve a hazard to the eyes from flying objects or particles, sprays, or splashes of hot or corrosive materials or chemicals.

1. All employees shall be provided with and required to wear proper eye protection when exposed to an operation or area where eye hazards normally exist. Some examples of mandatory use are listed below:
 - a. Arc or gas welding, brazing, cutting, and scarfing.
 - b. Machining or woodwork which produces flying particles.
 - c. While using pneumatic tools or powder actuated tools.
 - d. Splashes from molten metals or substances, hot or corrosive liquids, acids, and caustics.
 - e. Power lawn mowers and tree trimmers.
 - f. Powered chippers and tree trimmers.
 - g. Sledging, chipping, hammering, scaling, drilling, grinding, and sanding.
 - h. Driving/operating open equipment, tractors, graders, and front-end loaders.
 - i. Preparing rabies specimens.
2. Each foreman/supervisor shall distribute proper eye protective devices to be used

by employees.

3. Required eye protection shall be worn whenever eye hazards are present.
4. Employees provided with eye protection are responsible for its maintenance and proper use.

Note: Departments/divisions may make the determination as to additional applications of eye protection for each individual position.

D. Hearing Protection

Approved hearing protective devices are required in those areas or operations wherein the noise level cannot be reduced to permissible levels through administrative or engineering controls.

1. All employees shall be provided with and required to wear an approved hearing protective device when exposed to noise which exceeds those levels established by the State of Florida.
2. All employees, upon being provided with hearing protection, shall be required to wear same when working in areas or operations where there is a possibility of hearing damage.
3. Each foreman/supervisor shall distribute said equipment to be used by employees.
4. Each employee provided with ear protection shall be responsible for its maintenance and proper use when in his/her care.
5. Each department/division is responsible for identifying those areas/operations in which noise level hazards exist, or where an excessive impact noise is present.
6. The County's Safety and Loss Control Coordinator will be available to assist in the identification of noise levels when necessary.

E. Head Protection

The use of an approved safety hat is required in those areas or operations wherein there are hazards of bumping one's head, having it struck or having harmful materials fall/spill on the head. **Departments/divisions shall make the determination as to the application of head protection for each individual position.**

1. All employees shall be provided with and are required to wear an approved safety hat or cap when exposed to an area or operation where such equipment is necessary to protect the employee from recognized hazards whenever entering any area marked with a sign stating "HARD HAT AREA" or similar wording which indicates head protection is required.
2. All employees, upon being provided with head protection, shall be required to wear same when working in areas or operations where there is a possible danger of impact from falling or flying objects or striking fixed objects.
3. Each foreman/supervisor shall distribute said equipment to be used by employees.

4. Each employee provided with a safety hat or cap shall be responsible for its maintenance and proper use. No modifications, decals, painting, etc., shall be permitted without prior approval by the Safety and Loss Control Coordinator.
5. Each department/division is responsible for identifying those areas/operations wherein head protection is required.
6. The County's Safety and Loss Control Coordinator will be available to assist in the identification of hazardous areas when necessary.

F. Use of Safety Restraint Devices (Safety Belts, Air bags, etc.)

1. All County owned or leased vehicles and equipment designed to permit or require the installation of safety restraints shall be so equipped.
2. All drivers and passengers of vehicles and equipment which has said devices shall utilize same.
3. All drivers shall instruct their passengers to wear their safety belts.
4. The driver/operator shall not remove or deactivate any safety restraint device and shall advise Fleet Management whenever said device is not working properly.

G. Safety Vests/Shirts

1. All employees working on a roadway shall be provided an orange safety vest or an orange shirt.
2. All employees working in any other area where it is determined necessary that they be clearly visible shall also be provided an orange safety vest or orange shirt.
3. Each foreman/supervisor shall distribute said equipment to be used by employees.
4. Each employee provided an orange vest or orange shirt shall be responsible for its maintenance and proper use when in his/her care.
5. In the event of cold weather, the orange vest must be worn on the outside and if the orange shirt is covered, an orange vest would be required.

SECTION 16: WORK AREA TRAFFIC CONTROL

- A.** Leon County personnel shall conform to the State of Florida, Department of Transportation Manual on Traffic Controls and Safety Practices for Street and Highway Construction, Maintenance and Utility Operations, Part IV, whenever performing construction or maintenance on or adjacent to roadways.
- B.** Prior to the start of any construction or maintenance operation on or adjacent to a roadway, the necessary safeguards to protect employees from vehicular traffic and motorists from unexpected obstructions to the normal traffic flow must be examined.
- C.** All traffic control devices shall be installed prior to the start of construction of maintenance and shall be properly maintained and operated during the time such special conditions exist. The shall remain in place only as long as they are needed and shall be removed immediately thereafter.

SECTION 17: COUNTY ROAD AND ROAD SIGN INSPECTION PROGRAM

- A. Self-Inspection:** Division of Operations personnel shall observe road conditions at all times while working in the field, documenting findings and repair work. Additionally, designated Operations personnel shall perform regularly scheduled inspections of all traffic devices in the unincorporated areas, repairing/replacing devices as deemed appropriate and maintaining accurate records of inspections.
- B.** Each department/division having personnel working the field shall instruct personnel to observe conditions of County road for needed repairs (potholes, eroding shoulders, etc.). Additionally, traffic control devices (stop sign, yield signs, etc.) should be observed for damage or missing signs. Observations needing attention are to be reported immediately to the Director of Operations or designee. This will allow prompt correction of potential hazards to the public and liability to the County.

SECTION 18: RIGHT-TO-KNOW LAW

Employees have a right to know about exposures to toxic substances in the work place. Under the Florida Right-To-Know Law, Chapter 442, Florida Statutes, employers must provide employees with information about the toxic substances with which they work, and train employees in safe handling practices and emergency procedures. Employers must also notify local fire departments of the location and names of all toxic substances regularly present in the work place. Any employer that employs three or more employees, with certain exceptions, are subject to the requirements of the Law.

A. Toxic Substances

Under the Law, a toxic substance is any chemical substance or mixture in a gaseous, liquid, or solid state, that:

1. appears on the "Florida Substance List" promulgated by the Department of Labor and Employment Security;
2. is manufactured, produced, used, applied, or stored in the workplace; and
3. causes a significant risk to safety and health during, or as a result of, any normal handling or use.

B. Material Safety Data Sheet (MSDS)

A Material Safety Data Sheet (MSDS) is a document containing information about the properties and hazards of a toxic substance. The information will include the chemical identity of the substance, the physical and chemical properties, physical and health hazards, the means by which the chemical may gain access to the body, safe handling and use, emergency and first aid procedures, and control measures.

Under the Law, manufacturers, importers and distributors of toxic substances are required to prepare and provide MSDS's to their purchasers.

C. Employer's Obligations Under the Law

1. Post a notice, provided by the Department of Labor and Employment Security and forwarded from Human Resources, informing workers of their rights under the law.
2. Obtain, and maintain for a period of 30 years, the required Material Safety Data Sheet (MSDS) for each listed toxic substance present.
3. Make the MSDS's available upon request to an employee within five working days.
4. Provide instruction to employees, within their first 30 days of employment and at least annually thereafter, on the nature and effects of those toxic substances with which they work.
5. Advise employees of their right to obtain further information from the Toxic Substances Information Center.
6. Notify the local Fire Department of the location and names of each of the toxic substances regularly present in the work place.

D. Rights of the Employees Under the Law

The law provides employees with certain rights, including the right to:

1. know of the toxic substances present in the work place;
2. obtain a copy of the Material Safety Data Sheet for any listed toxic substance present with which they may be exposed to; and
3. refuse to work, under specified circumstances, with a toxic substance if not provided a copy of the Material Safety Data Sheet for that substance within 5 working days after an employee submits a written request to the employer.

E. Instruction on the toxic substance must include:

1. the chemical and common names of the substance (with certain disclosure limitations for trade secrets);
2. the location of the substance in the work place;
3. proper and safe handling practices;
4. first aid treatment and antidotes in case of over-exposure;
5. the adverse effects of the substance;
6. appropriate emergency procedures;
7. proper procedures for clean-up of leaks or spills;
8. potential for flammability, explosion, and reactivity;
9. the rights of employees under the Right-To-Know Law;
10. obtain further information on the properties and hazards of toxic substances from the Toxic Substances Information Center; and
11. protection against discharge, discipline, or discrimination for having exercised any of these rights.

F. Assistance Available

If there are any questions, or if additional information is needed concerning toxic substances in the work place, contact:

Toxic Substances Information Center

**2728 Centerview Drive, Suite 345, Forrest Building
Tallahassee, Florida 32399-0663
1-800-367-4378
850-488-3044**

SECTION 19: SAFETY INSPECTION PROGRAM

A. Inspections

Regular safety inspections will aid in the reduction of accidents by discovering hazards and unsafe practices so they may be eliminated or safeguarded before they cause an accident and/or injury. Safety inspections should be made for both unsafe acts and/or unsafe conditions. "Safety Sampling" is a new technique of observing employees on a casual basis to determine unsafe acts. While a typical safety inspection concentrates on conditions of the work place, it must be understood that both unsafe conditions and unsafe acts cause accidents. Inspectors must be alert to unsafe practices of employees as well as conditions of the work place.

While inspections should be regular, the frequency can best be determined by analyzing the operations and hazards in the individual work place.

Completed inspections should be reviewed by the Safety Committee and then turned over to the Safety and Loss Control Coordinator who will initiate and follow up corrective action on any recommendations developed by the inspection.

Inspections can be made by the Supervisor, the Safety Committee member, and/or by the Safety and Loss Control Coordinator.

B. Daily Inspections

A daily inspection of work areas should be established and implemented. It is recommended the Supervisor or a qualified person appointed by said supervisor make daily inspections. Sometimes it is considered good training practice to rotate the person making daily inspections so more personnel may be trained in recognizing unsafe work conditions or acts. A daily inspection should include checking the following for unsafe conditions or practices. All inspectors should report any unsafe acts observed as well as unsafe conditions. Examples are as follows:

1. Housekeeping in all areas
2. Proper piling and stacking of materials
3. Safe use and storage of flammable liquids
4. Proper safety warning signs
5. Hygiene and sanitary conditions
6. Proper grounding of portable electric tools and extension cords
7. Wearing or use of personal protective equipment
8. Ladders or scaffolding
9. Falling hazards

10. Safe material handling (personal)
11. Proper machine guarding
12. Proper lifting
13. Proper driving
14. Seat belt use
15. Availability of fire extinguishers

C. Inspection of County Facilities by Outside Agencies

1. All inspections will be scheduled through the Safety and Loss Control Coordinator.
2. In the event a representative of an outside governmental agency or insurance company presents themselves unannounced at a County facility requesting to conduct an inspection, the following procedure shall be followed:
 - a. Ask for their credentials and for them to wait in the respective department/division office.
 - b. Contact the Safety and Loss Control Coordinator (487-2220), providing identification of individuals requesting entrance, organization represented, purpose of visit, etc.
 - c. The Safety and Loss Control Coordinator will advise requesting department/division as to action to be taken.
 - d. If unable to contact the Safety and Loss Control Coordinator, contact the Human Resources/Risk Management Director (487-2220).
3. The Safety and Loss Control Coordinator will be available to assist in the inspection of all County facilities by an outside agency, when appropriate.
4. All inspection reports by an outside agency will be directed by said agency to the Safety and Loss Control Coordinator. In the event the report is sent to the department/division inspected, a copy shall be sent to the Safety and Loss Control Coordinator as soon as possible.
5. The Safety and Loss Control Coordinator will work with the affected department/division regarding any action required by said report and will respond back to the requesting agency in writing.

LEON COUNTY
TANGIBLE PERSONAL PROPERTY POLICY

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SECTION I PURPOSE AND OBJECTIVES

A. Purpose

Property Control records and maintains information on Leon County tangible personal property acquisitions, both County and Federally titled, following County, State and Federal property guidelines. Equipment information, including item description as well as financial data, is stored in a centralized database for ease in reporting and to provide accessibility for all County departments. Property Control also has responsibility for developing and implementing of County policies and procedures, as well as providing training in these procedures, in order to ensure compliance with State and Federal equipment management requirements.

B. Property Control Objectives

1. Statutes and rules of the State of Florida prescribe a Property Control system which must meet the following objectives:
 - a. Safeguard County property against unauthorized use or removal.
 - b. Provide an essential part of the accounting record.
 - c. Provide a basis for property insurance.
 - d. Define the property responsibilities of County officials and staff.
 - e. Assist administrators in the effective management of property and equipment.
 - f. Account for property purchased with federal funds.
2. The Property Control System safeguards the physical assets of Leon County, assures compliance with federal regulations, and provides an auditable subsidiary ledger to the County's general ledger. Federal grant and contract regulations require that a structured equipment inventory be maintained and that available equipment be fully utilized before federal funds are spent on equipment.

SECTION II PROPERTY ACCOUNTABILITY AND RESPONSIBILITY

- A. Employees of the Board of County Commissioners (Board), the Clerk of Courts, the Court Administrator, the Leon County Health Department, the Property Appraiser, the Supervisor of Elections, and the Tax Collector, are responsible for the safeguarding and proper care of the equipment provided them. Each employee is expected to take reasonable precautions to protect that property from unauthorized removal or use. Employees are also responsible for exercising reasonable care in operation and maintenance of County equipment.
- B. In each Board department the Department Director shall be accountable and responsible for the property assigned their departments and for any changes in location or status of equipment.
- C. Each Constitutional Officer, the Court Administrator, and the Health Department Administrator shall be accountable and responsible for the property in their offices and for any changes in location or status of equipment. Accountability includes responsibility for the care of departmental equipment.

- D. Each department director/official is responsible for the proper use of departmental equipment until relieved of that responsibility. Each remains accountable for tangible personal property items but they may delegate tasks and property control functions to designated custodians within their respective offices.
- E. The Property Control Program is charged with creating and maintaining the Property Control System including procedures, forms, inventory, training and the computerized database.

SECTION III DEFINITIONS

- 1. **Accessory Item** - An item which facilitates or enhances the operation of plant equipment, but which is not essential for its operation. The accessory by itself has no function. To be capitalized, the accessory must have an acquisition cost of \$500 or more and a useful life of one year or more. (As defined in FAR 45.501)

Example: An LCD panel is purchased to be used with an existing computer and overhead projector in group presentations. If the cost is \$500 or more and the expected life is one year or more, a separate tag number will be assigned. Note: An LCD panel can be used with other computers, but is not a stand alone item.

- 2. **Accountability:** Being able to give an account for property; an “accountable” person (usually the custodian) must maintain current records of the location of all inventory within the department and subsequent additions, deletions or adjustments.

- 3. **Auxiliary Item** - An item without which plant equipment cannot operate. (Defined in FAR 45.501)

- 4. **Betterment (also referred to as an improvement)** - A tangible component or enhancement that is affixed to an inventoried (tagged) item of equipment which extends the life of the equipment, increases the productivity of the equipment or enhances the quality of the inventoried equipment. The cost of a betterment is added to the value of an inventoried item of equipment if \$500 or more.

Example: Memory boards are installed in an existing computer to upgrade the computer from a 386 to a 486. If the cost is \$500 or more, the cost is added to the value of the inventoried computer.

Replacement of a part of an existing asset by another of like quality is not a betterment, even though the useful life of the asset is maintained or extended.

- 5. **Custodian** is defined as any department head, division head, or County employee under the Board of County Commissioners as designated by the responsible department head ; Constitutional Officer of the County, except for the Sheriff; the Court Administrator; or the Health Department Administrator. . The custodian’s duties shall include preparation, submission, and completion of all tangible personal property transaction forms, inventory coordination, and all other duties required to maintain accurate inventory records for the assigned tangible personal property.

- 6. **Fabricated Equipment** is equipment or furniture made by County staff for utilization in

County operations which meets the definition and value for tangible personal property. Determination of value includes the purchase price of all materials, supplies and fixtures used, any freight charges, all labor costs for construction and installation, if any. Examples might be a large bookshelf unit fabricated in the carpentry shop or a trailer constructed in the welding shop.

7. **Fiscal Year** means the County government's fiscal year (October 1 - September 30) as established by Section 129.04, Florida Statutes.
8. **Ownership Tags** are identification stickers or other markings used to mark sensitive property as property of the County. Items of equipment that do not meet the cost criteria for inclusion in the property control system should be affixed with a County ownership tag. Ownership tags are available to all County personnel from the Property Control Office.
9. **Property Control** is the program within the Purchasing Division charged with the responsibility of maintaining the records for County tangible personal property, of conducting annual physical inventories of all tangible personal property owned by the County, of tagging or otherwise labeling property acquired by the County and of coordinating other matters related to County tangible personal property including its transfer, cannibalization, and disposal.
10. **Responsibility:** Being liable to be held to account as the primary agent due to holding a specific office, position, or trust; for example, the Constitutional Officers, County Department Heads and the Health Department Administrator.
11. **Sensitive Property** - Movable equipment which has an acquisition value less than \$500, is freestanding, has a normal life expectancy of one year or more and is desirable for personal use and/or sale. Easily removed items to include, but not be limited to, VCRs, calculators, televisions, binoculars, cameras, tape recorders, microwave ovens, modems, monitors and printers.
12. **Surplus** refers to items no longer needed or used by a custodian that are transferred to the Surplus Account and which may be obtained by other custodians.
13. **Salvage** refers to items that are unserviceable or uneconomically repairable and transferred to the Salvage Account pending Board approval for disposition through sale, donation or discard.
14. **Storage** refers to those items being stored at a facility other than the work location of a custodian for use at a later date but retained on the custodian's inventory.
15. **Tangible Personal Property** is defined as property which:
 - a. is not fixed in place and not an integral part of a structure or facility;
 - b. is not an integral part or component of another piece of equipment;
 - c. has an original acquisition cost of \$500 or more;
 - d. is not consumed in use; and
 - e. has a useful life of one year or more after initial acquisition.

SECTION IV ACQUISITION OF TANGIBLE PERSONAL PROPERTY

A. Property is acquired by the County in several different ways:

1. By the direct purchase of property using County funds.
2. By donation from private individuals, state or other governmental agencies.
3. By the direct purchase of property using grant, state or federal funds.
4. By lease-purchase agreement.
5. By in-house fabrication
6. By purchase through construction contracts

B. Purchase of Property with County Funds:

1. Board Operations

- a) Each County Department, through the designated Department Head, is authorized to procure property through the County Purchasing Division in accordance with the Leon County Purchasing Policy and procedures. All purchases for multiple pieces of equipment shall be itemized and priced separately on the Purchase Order in order to properly identify and tag each individual inventoriable unit.
- b) Acquisition by County Departments, except for the Health Department: The necessary information to record these procurement in the Fixed Asset Accounting System will be obtained by Property Control through review of all purchase orders and from the Finance Division through the data contained in paid vouchers. At the time this information is acquired, a property number will be assigned and the item will be tagged by Property Control in accordance with procedures described in Section VI of this policy.

2. Constitutional Officers (Tax Collector, Property Appraiser, Supervisor of Elections, Clerk of Courts).

- a) The Departments under the Constitutional Officers acquire tangible personal property through procurement from their own budgets.
- b) In order for Property Control to record such items, it will be necessary for the Custodian in these departments to provide information to Property Control for evaluation, tagging and subsequent inclusion of the property in the tangible personal property record. The Property Control Acquisition Form shall be used by the Custodian to inform Property Control of new acquisitions.

3. Health Department and Court Administrator

- a) The Health Department and the Court Administrator's Office receive tangible personal property through procurement with State and/or County

funds.

- b) It will be necessary for the Custodian/Delegate to use the Property Control Acquisition Form as described above to inform Property Control of all acquired tangible personal property items.

C. Property Donated to the County:

Any tangible personal property donated to the County by governmental agencies, private enterprise or by individuals will be listed on the Property Control Activity Form by the appropriate Custodian and forwarded to Property Control within 15 days of receipt of such items. The form should include all known information on the item donated. Property Control will inspect the property as soon as possible and evaluate it as to serviceability and value, and then determine whether or not it should be included on the Property Record. All such items approved for inclusion in the inventory will be tagged and entered in the Tangible Personal Property Record.

D. Purchase of Property using grant, state or federal funds:

Tangible personal property acquired by any County agency or department from other resources such as Federal or State Grants shall be accounted for in the same manner as property acquired with County Funds. The Finance Department will notify the Custodian of any exception to this standard procedure (OMB Circular No. A-87).

E. Lease-Purchase Agreements:

- 1. In accordance with the criteria set forth in the Financial Accounting Standards Board's Statement No. 13, Accounting for Leases, all tangible personal property items acquired through lease-purchase agreement by any County department or agency will be included in the Tangible Personal Property Record at the beginning of the term of the agreement. Property Control will notify the department or agency receiving the item of any exception to this rule.
- 2. It is the responsibility of the Custodian to inform Property Control of all lease-purchase agreements pertaining to tangible personal property and to provide them with a copy of the agreement.

F. Fabricated Equipment:

Upon completion of fabricated equipment within a department, the following guidelines should be followed:

- 1. Prepare a memo to Property Control listing:
 - a) A complete description of the item
 - b) Location of equipment.
 - c) Office that will have ownership
 - d) Value - this should include the purchase price of all materials, supplies and fixtures used, any freight charges, all labor costs for construction and installation, if any. Also include the account number under which the equipment was charged.

- e) Serial number and/or model number if assigned.
- 2. The Property Control will assign an Inventory Control Number for the equipment built.

G. Purchase by Construction Contracts:

Equipment and furnishings acquired under construction contracts is to be reported to Property Control by the construction or project manager. The inventoriable equipment shall be individually listed and priced by the suppliers to enable creation of accurate property control records and to facilitate tagging.

SECTION V IDENTIFICATION OF COUNTY TANGIBLE PERSONAL PROPERTY

Each item of tangible personal property located in inventory shall be marked or tagged with its property number and the inscription, "Property of Leon County, Florida", in accordance with Chapter 10.400, Rules of the Auditor General. It shall remain so identified as long as it is in the custody, possession or control of the County. Inventory tags or identification are removed or obliterated from the equipment only when sold, scrapped, or otherwise disposed of. Once an inventory number has been assigned, the number is not to be changed during the life of the item regardless of interdepartmental or other transfers.

The application of the property number to the equipment is the responsibility of Property Control; however, this function may be delegated to the receiving department or the department having custody. The property number is applied to the actual unit unless its size or nature makes it impractical, or the equipment is an accessory, or auxiliary and attached to, or otherwise a part of, an item of government equipment, and is required for its normal operation. In the latter case, such items are entered and described on the record of the equipment to which, or of which, it is otherwise a part. The property number should be affixed to the equipment adjacent to the manufacturer's name plate if in a position for easy sighting. Inventory tags shall be affixed in a clearly visible location and not in a position requiring movement of the equipment for tag number verification. Identification may be effected by means of a decal or metal, fiber, plastic, or other plate affixed directly to the equipment, or by use of indelible ink, acid, or electric etch, or any other legible, permanent,

conspicuous and tamper-proof method. If additional identification is considered necessary, i.e. departmental tag, it shall be in a manner or position that will avoid confusion with the property number.

Should the property number be accidentally or mistakenly obliterated, defaced or removed, the equipment shall be marked again with the original number.

Easily moved component parts of a system valued \$500 or more must be individually tagged. In the case of a PC, the CPU and the monitor shall be tagged separately should both unit prices be \$500 or more. Each would have a separate and distinct inventory tag number. Should the monitor be less than \$500, it will be tagged as Sensitive Property.

SECTION VI DISPOSAL OR TRANSFER

General - County tangible personal property may become surplus, obsolete, damaged or worn out

and therefore of no further use to the accountable department. Such property should then be traded in on new equipment, cannibalized, or transferred to Property Control for redistribution and utilization or disposal according to State and County procedures. The department may not unilaterally dispose of County personal property without prior approval. Disposals or transfers should be noted on the Property Control Activity Form.

- A. Trade-In - The accountable department should coordinate with the Purchasing Division if it desires to trade in an item on the purchase of a new item. If the trade-in is agreed on, the Purchase Requisition should fully identify the item to be traded, including full description, manufacturer, serial number and County Inventory Tag number and the trade-in allowance. Prior to the trade-in leaving the accountable department, the inventory tag shall be removed, attached to a completed Property Control Activity Form and forwarded to Property Control.
- B. Cannibalization - It may be desirable and advantageous to cannibalize an item of property when that item can no longer be used for the purpose for which acquired and cannot be economically repaired but its components or parts are useable in a like item of equipment.
 - 1. Upon cannibalization, the Custodian shall submit to Property Control a completed Property Control Activity Form.
 - 2. After cannibalization, any and all residue, with inventory tag, shall be turned in to Property Control. If there is no inventory tag and/or residual components turned in to Property Control, the item will be reported to the Board of County Commissioners as missing.
 - 3. The County Landfill is the designated location for all junked property, unless the property is prohibited from being dumped at the landfill by law or regulation.
- C. Lost or Stolen Equipment - Regardless of value, any lost or stolen equipment must be reported immediately by the appropriate staff to the appropriate law enforcement agency (Sheriff or Police), the Custodian and Department Director. A copy of the law enforcement report must be sent to Property Control with a completed Property Control Action Form. Equipment discovered missing after a physical inventory, either by the accountable department or Property Control, and which has had no law enforcement report will be listed as "lost" and may be removed from the inventory records only after approval by the Board of County Commissioners.
- D. Transfer of Equipment - Material, inventoriable or not, which is declared surplus or excess by a department shall be reported to Property Control on an Property Control Activity Form. Pick up of the item(s) will be made as soon as possible after the Property Control Activity Form is received. Items that are unusable will be disposed of by public bid sale, by auction or through salvage.
 - 1. If the County holds title to property acquired under a contract with an outside agency, which includes recovery rights and the funding agency requests transfer of such property to another institution, it may be transferred. Before transfer is initiated, a determination must be made of responsibility for dismantling and shipping costs.

2. Interdepartmental Transfers - When equipment is transferred between departments, no change is made in the recorded value of the equipment. It is reported to Property Control by the transferring department on a Property Control Activity Form. The form must bear the signatures of the losing and receiving custodians acknowledging the transfer. Location information must be included.
- E. Sale of Equipment by Departments - As previously stated in this policy, title to property/equipment rests with the County rather than with the department. Therefore, the sale of or advertising for sale of equipment by departments is prohibited. The disposition of tangible personal property is the responsibility of the Property Control program.
- F. Disposal of Tangible Personal Property - Pursuant to the provisions of Sections 274.05 and 274.06, Florida Statutes, Property Control is hereby authorized to determine the best method of disposition for surplus, salvaged, and cannibalized tangible personal property items through governmental bid, public bid or auction, donation, abandonment, or destruction and disposition of residue in an approved landfill or other approved depository.
1. For governmental bids, public bids or auctions, cannibalization, and destruction and disposition of residue, Property Control staff shall report after-the-fact to the Board of County Commissioners the method of disposition, the property items, and the value received.
 2. For donations and abandonment, Property Control shall seek prior approval of the activity of the Board of County Commissioners.
- G. Disposal of Other County Personal Property

County property items that are not in the tangible personal property inventory shall be subject to the following:

- 1) Those items that are broken, obsolete, unserviceable and which have no marketable value may be disposed of upon approval of the respective program or division head. Care should be taken to assure that disposal is done in accordance with any and all requirements for legal disposition.
- 2) Items which are serviceable and have a marketable value should be forwarded to Property Control by submitting a completed Property Control Activity Form. These items will be stored and made available to other offices within the County by Property Control staff. After a reasonable length of time when there appears to be no demand for the items, Property Control is authorized to place the items in the next scheduled public sale or otherwise legally dispose of the items.

SECTION VII PROPERTY CONTROL DATABASE SYSTEM AND RECORDS

- A. Property Control shall record all tangible personal property acquired by the County in the Property Control Database System. This system shall include all information required by Florida statutes and the Rules of the Auditor General. As part of the system, a paper control record will be created and maintained for each asset.

- B. Each Custodian will be furnished a quarterly Property Item Transaction Activity Report. The Custodian should review the report for accuracy and notify Property Control of any corrections required.
- C. The Constitutional Officers, the Health Department, and the Court Administrator shall provide monthly notification of property acquisitions in the manner prescribed.

SECTION VIII PHYSICAL INVENTORY AND CONDITION CODING OF PROPERTY ITEMS

- A. Physical inventories will be conducted by a Property Control Officer. Such inventories will be in coordination with the appropriate Custodian or his designated delegate. The individual taking the inventory should not be the Custodian charged with the items to be inventoried.
- B. The type of inventory conducted will fall into one of three categories as indicated below:
 - 1. New - The initial inventory for setting up the Tangible Personal Property Record of a new or reorganized department.
 - 2. Annual - An inventory of all tangible personal property shall be taken once each fiscal year in each department.
 - 3. Special - An inventory taken at the request of the Custodian, when there is a change of a Custodian or by direction of the Board of County Commissioners. An inventory shall be taken by Property Control of all tangible personal property within a department when there is a change in the Custodian.
- C. The inventory will be an actual physical verification that a specific item exists at the site and in the condition indicated on the Tangible Personal Property Record. The most recent copy of the Tangible Personal Property Record will be used in the conducting of the inventory.
- D. Every item located on the inventory will be classified as to its general condition and serviceability.
 - 1. Property other than vehicles:
 - a) Condition "1", Good means the item is serviceable, new or in almost new condition showing little sign of wear and tear.
 - b) Condition "2", Fair means the item is still serviceable for its primary use, but shows definite signs of wear and tear.
 - c) Condition "3", Poor means the item was found to be unserviceable at the time of inventory. Such items should be disposed of or declared surplus in accordance with applicable provisions in this manual.
 - 2. Vehicle Condition Coding:

- a) Condition "1", Good, a serviceable vehicle with over 50% of its life expectancy, mileage and/or operating hours still remaining.
 - b) Condition "2", Fair, a serviceable vehicle with less than 50% of its life expectancy, mileage and/or operating hours still remaining.
 - c) Condition "3", Poor, a vehicle which is determined to be unserviceable.
- 3. Items previously marked or tagged, but for some reason the marking is not legible or is missing, will be retagged using the original Property Control Number.
- E. If, during the Physical Inventory, tangible personal property is found that is not on the property record, and it is believed to be an asset of the County, Property Control will evaluate it and, if appropriate, place it on the Property Record in the department where it was found.
- F. Upon completion of an inventory, the Custodian will acknowledge acceptance of all property as listed on the current inventory report. It shall be the responsibility of the Custodian to trace and reconcile to the satisfaction of Property Control all discrepancies existing between the inventory and the Tangible Personal Property Record. Any discrepancies remaining unreconciled 15 days after the inventory report is provided the Custodian shall be reported by Property Control to the Board of County Commissioners for disposition.

SECTION IX SPECIAL PROCEDURES

This section covers special procedures not otherwise outlined in this policy.

- A. Tangible Personal Property Installed on Vehicles or on Other Major Items of Equipment:
 - 1. The County may, from time to time, purchase a vehicle or a major piece of equipment and subsequently purchase additional items for installation using County manpower and resources to complete the piece of equipment or to fill a special requirement. Items of this nature will not be accounted for separately, but will be considered part and parcel of the basic major item. The Property Record will show the Base Cost as the cost of the basic item plus the cost of any additional item(s) installed thereon.
 - 2. Items in this category include, but are not limited to, the following:
 - a) Vehicle bodies.
 - b) Installed hoists and winches.
 - c) Installed air compressors.
 - d) Storage tanks installed on vehicles or trailers.
 - e) Installed flashing lights, light assemblies and sirens.
 - f) Any other miscellaneous items similar to those above.
 - 3. Excluded from this policy are radios and communication equipment which will be shown on the Tangible Personal Property Record separately.
 - 4. The Custodian will notify Property Control of any changes to the basic major item.

5. When County warrants or other acquisition documents reflect procurement of items as are described above, Property Control will prepare the necessary documents to add the item(s) to the basic piece of equipment on the Property Record.
6. When a vehicle or other major piece of equipment is disposed of or traded, and the installed property item is recaptured for subsequent use, it will be the responsibility of the Custodian to advise Property Control of the action and of the anticipated use of the recovered item.

B. Internal Transfer of Property Between Locations Within Departments:

1. Some Custodians have large accounts with tangible personal property located in several different places. Examples are: Tax Collector, Supervisor of Elections, Clerk of the Circuit Court, Public Library, Public Works, etc. These different locations are identified on the Tangible Personal Property Record. It is the responsibility of the Custodian to advise Property Control of any transfer of tangible personal property from one location to another in order to keep the Property Record up to date. Notification should be made on the Property Control Activity Form. Temporary transfers need not be reported, but all permanent or indefinite transfers should be reported as soon as they occur.
2. Property Control will update the Tangible Personal Property Record by entering all such transfers on the Property Record when notified.

C. Removal of inventory property from County facilities:

No inventory property of the County shall be removed from County facilities to a non-county location for use and storage without the prior approval of the employee's department head or director. In the event, the department head or director should be the user, the department head or director's next level supervisor shall be sought for approval. The department head or director shall be responsible for documenting the employee's temporary use and storage of the inventory property in a memorandum to Property Control. The memorandum should state the property number(s), the temporary location and expected duration of relocation. Approval shall be based on the purposes of temporary worksite or other reason within the scope and mission of the County. The department head or director will be responsible to forward the memorandum to Property Control at the time of release. The department head or director will be responsible to forward a memorandum to Property Control verifying the return of the movable property.

Inventory property used and stored at a non-county location shall not be used for personal benefit or any purpose that can be considered misuse of County property. The use of County property for personal benefit is illegal under state law.

Board of County Commissioners

Leon County, Florida

Policy No. 96-15

Title:	Procurement of Paper Products
Date Adopted	August 27, 1996
Effective Date:	August 28, 1996
Reference:	2010 Comprehensive Plan, Solid Waste Element, Policy 1.1.5
Policy Superseded:	Policy No. 92-9, "Procurement of Paper Products," 6/23/92

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

All County departments and agencies shall use recycled content paper products and recyclable paper products to meet their procurement needs whenever practical and commercially available. Whenever practical, the County shall require its contractors and consultants to use recycled paper and recyclable paper products in fulfilling contractual obligations to the County.

The following minimum materials content standards shall be specified when purchasing or causing the purchase of printing and writing paper:

- a. For high speed copier paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, and white woven envelopes, the minimum content standard shall be no less than 20 percent post-consumer materials beginning December 31, 1996. This minimum content standard shall be increased to 30 percent beginning on December 31, 1998.
- b. For other uncoated printing and writing paper, such as writing and office paper, book paper, cotton fiber paper, and cover stock, the minimum content standard shall be 50 percent recovered materials, including 20 percent post-consumer materials beginning on December 31, 1996. This standard shall be increased to 30 percent beginning on December 31, 1998

Leon County will follow State guidelines for product standards, specifications and product certification of recycled content materials. White recycled paper stock shall be purchased in lieu of colored paper except as required for special projects.

The County shall promote the use of recycled and recyclable products by publicizing its procurement policy and having the recycling symbol printed on all pre-printed office paper purchased by the County.

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY
12.02
PURCHASING POLICY**



Revised 1/16/96

LEON COUNTY BOARD OF COUNTY COMMISSIONERS PURCHASING POLICY

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LEON COUNTY PURCHASING POLICY

Section 1 PURPOSE

This policy is adopted to promote the following purposes:

- A. To simplify, clarify, and modernize the procurement practices used by the Leon County Board of County Commissioners.
- B. To promote the continued development of professional and equitable procurement policies and practices.
- C. To promote public confidence in the purchasing procedures followed by Leon County.
- D. To ensure the fair and equitable treatment of all persons who deal with the procurement system of Leon County.
- E. To encourage the growth of small and minority businesses through the promotion of an atmosphere conducive to the development and maintenance of small and minority business participation in the County's procurement system.
- F. To maximize economy in Leon County procurement activities and to maximize to the fullest extent practicable the purchasing value of public funds of Leon County.
- G. To provide safeguards for the maintenance of a procurement system of quality and integrity in Leon County.

Section 2 APPLICATION OF POLICY

- A. Contracts: This policy shall apply to contracts/agreements solicited or entered into after the effective date of this policy or subsequent amendments or revisions, unless the parties agree to its application to a contract solicited or entered into prior to the effective date.
- B. Activities: This policy shall apply to the purchase/procurement of all materials, supplies, services, construction and equipment except as herein specifically exempted.
- C. Exemptions From the Purchasing Policy. The following types of purchasing activities shall be exempt from the purchasing policy except as noted:
 - (1) All heavy equipment repairs shall be exempted from the competitive sealed bid requirements. The Fleet Management Director or designee shall solicit and evaluate quotations and make a recommendation for award. The Purchasing Director shall review the quotations and the recommendation for award and award the bid. Should a purchase exceed \$20,000 the County Administrator shall agenda the item for ratification by the Board at a regularly scheduled Board meeting.
 - (2) All purchases of services from a utility whose rates are determined and controlled by the Public Service Commission or other governmental authority, including but not limited to electricity, water, sewer, telephone, and cable television services.
 - (3) All supplies, materials, equipment, or services purchased at a price established in a State contract of the State of Florida Department of Management Services, Division of Purchasing; and the Federal Supply Schedules established by the United States Department of General Services.
 - (4) All supplies, and materials, equipment, construction, or services purchased from another unit of government.
 - (5) Emergency purchases as provided in Section 5.11 hereof.
 - (6) Sole source purchases as provided in Section 5.10 hereof.

- (7) All purchases of used equipment having a value of ten thousand dollars (\$10,000) or less; however, each such purchase shall be supported by one equipment appraisal report from the vendor.
- (8) All purchases of used equipment having a value greater than \$10,000 and less than \$20,000; however, each such purchase shall be supported by two independent equipment appraisal reports from the vendor.
- (9) Library/Training Media and Materials. The requirements for requesting bids/quotes from two (2) or more sources are waived for the purchase of library books, education and/or personnel texts, textbooks, printed instructional materials, reference books, periodicals, databases, indexes, library media materials, e.g. audio and video cassettes, film strips, films, sound recordings, computer software, etc, and printed library cards, where such materials are purchased directly from the producer or publisher, the owner of the copyright or patent, or an educational institution which is a sole source.
- (10) Grants (Direct Payment) by the County and Social Services (e.g. burials and indigent patient services).
- (11) Advertisements (except Delinquent Tax Notice).
- (12) JTPA On-The-Job-Training-Contracts.

Section 3 DEFINITIONS

The following terms defined in this section shall have the meanings set forth below whenever they appear in this policy:

- A. "Addendum" is a document used to expand or more fully explain the terms of a bid instrument (Invitation to Bid or Request for Proposals). An addendum is not to be confused with a contract "amendment."
- B. "Agreement" means all types of Leon County agreements, regardless of what they may be called, for the purchase or disposal of supplies, services, materials, equipment or construction.
- C. "Blanket Purchase Order" means a purchase order issued to a vendor for an amount not to exceed the face value of the purchase order. A blanket purchase order is for the procurement of commodities or services no single item of which shall exceed the threshold for small purchases unless the appropriate method of procurement was used to generate the Blanket Purchase Order.
- D. "Board" means the Board of County Commissioners of Leon County, Florida.
- E. "Brand Name or Equivalent Specification" means a specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet the County requirements, and which provides for the submission of equivalent products.
- F. "Business" means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
- G. "Change Order" means a written order amending the scope of, or correcting errors, omissions, or discrepancies in a contract or purchase order.
- H. "Commodity" means a product that the County may contract for or purchase for the use and benefit of the County. A specific item, it is different from the rendering of time and effort by a provider.
- I. "Competitive Sealed Bidding" (Invitation for Bid) means a written solicitation for sealed competitive bids used for the procurement of a commodity, group of commodities, or services valued more than the threshold for this category. The Invitation for Bids must be publicly advertised and has the title, date, and hour of the public bid opening designated and specifically defines the commodity, group of commodities, or services for which bids are sought. It includes instructions prescribing all conditions for bidding and shall be distributed to all prospective bidders simultaneously. The

invitation for bids is used when the County is capable of specifically defining the scope of work for which a contractual service is required or when the County is capable of establishing precise specifications defining the actual commodity or group of commodities required.

- J. "Confirming Order" means a purchase order restating the same terms originally placed orally or in writing other than a purchase order.
- K. "Construction" means the process of building, attaining, repairing, improving, or demolishing any public structure or building, or other public improvement of any kind to any public real property. It does not include routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.
- L. "Contract" means all types of Leon County agreements, regardless of what they may be called, for the purchase or disposal of supplies, services, materials, equipment or construction and which name the terms and obligations of the business transaction.
- M. "Contract amendment or modification" means any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.
- N. "Contractor" means any person having a contract with Leon County (not to include employment contracts).
- O. "Contractual Services" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services.
- P. "Contractual Services Contract" is a contract for a contractor's time and effort rather than the furnishing of specific commodities. Satisfactory completion of the service and/or a specified period of time or date completes such contract.
- Q. "Cooperative Purchasing" is procurement conducted by, or on behalf of, more than one public procurement unit.
- R. "Cost Analysis" is the evaluation of cost data for the purpose of arriving at costs actually incurred or estimates of costs to be incurred, prices to be paid, and costs to be reimbursed.
- S. "Data" means recorded information, regardless of form or characteristic.
- T. "Definite Quantity Contract" is a contract whereby the contractor(s) agrees to furnish a specific quantity of an item or items at a specified price and time to specified locations. Delivery by the vendor and acceptance of the specific quantity by the County completes such contract.
- U. "Designee" means a duly authorized representative of a person holding a superior position.
- V. "Emergency" means when there exists a threat to public health, welfare, or safety; natural unexpected events; accidents; or loss to the County under emergency conditions which shall be considered to mean those situations where the operation of a department or division would be seriously impaired if immediate action were not taken.
- W. "Emergency Purchase" is a purchase necessitated by a sudden unexpected turn of events (e.g., acts of God, riots, fires, floods, accidents or any circumstances or cause beyond the control of the agency in the normal conduct of its business) where the delay incident to competitive bidding would be detrimental to the interests of the County.
- X. "Employee" means an individual drawing a salary from Leon County, whether elected or non-elected. For the purposes of this policy, it also means that any non-compensated individual performing personal services for Leon County is to be governed by these rules..

- Y. "Established Catalog Price" is the price included in a catalog, price list, schedule, or other form that:
- (1) is regularly maintained by a manufacturer or contractor;
 - (2) is either published or otherwise available for inspection by customers; and
 - (3) states prices at which sales are currently or were last made to a significant number of any category of buyers or those buyers constituting the general buying public for the supplies or services involved.
- Z. "Field Purchase Order" means the procurement of commodities or services through the issuance of a purchase order by a department or division head under procedures established by the Purchasing Division and with a value within the thresholds set for this category. Field Purchase orders do not require quotes, bids, or public notice prior to issuance.
- AA. "Field Quotes" is the procurement procedure used by the operating department or divisions to purchase commodities or contractual services with a value within the threshold amounts set for this category. Field Quotes are conducted by the department or division obtaining either written or oral quotations from two or more vendors, do not require a public bid opening, and are awarded by the Purchasing Director. Written evidence of all quotations must be maintained in the Purchasing Division.
- BB. "f.o.b. or FOB (free on board)" is a term used in conjunction with an identified physical location to determine the responsibility and basis for payment of freight charges, and the point at which title for the shipment passes from seller to buyer. Commonly used deliveries are:
- (1) FOB Destination. A shipment to be delivered to a destination designated by the buyer and the point at which buyer accepts title.
 - (2) FOB Shipping Point (Origin). A shipment is to be delivered to the buyer with passage of title, on board the indicated conveyance or carrier at the contractor's designated facility.
- CC. "Gratuity" is a payment, loan, subscription, advance, deposit of money, service, or anything of more than nominal value, present or promised, inuring to the benefit of an employee, unless consideration of substantially equal or greater value is given by the employee.
- DD. "Informal Sealed Bids is the procurement method used by the County for selecting a provider of commodities or services with a value within the threshold for this category. Informal Sealed Bids have the title, date, and hour of the public bid opening designated, specifically define the commodity, group of commodities, or services for which bids are sought in written specifications and do not require public advertisement. A recommendation of award is made by the Purchasing Director and awarded by the County Administrator. It is normally the intent of the County to select the qualified and responsive bidder primarily on the basis of price.
- EE. Invitation for Bid (Competitive Sealed Bidding) means a written solicitation for sealed competitive bids used for the procurement of a commodity, group of commodities, or services valued more than the threshold for this category. The Invitation for Bids must be publicly advertised and has the title, date, and hour of the public bid opening designated and specifically defines the commodity, group of commodities, or services for which bids are sought. It includes instructions prescribing all conditions for bidding and shall be distributed to all prospective bidders simultaneously. The invitation for bids is used when the County is capable of specifically defining the scope of work for which a contractual service is required or when the County is capable of establishing precise specifications defining the actual commodity or group of commodities required.
- FF. "Joint Venture" means:
- (1) a combination of contractors performing a specific job in which business enterprises participate and share a percentage of the net profit or loss; or
 - (2) a joint business association of a minority individual(s)/firm(s) as defined herein, and a non-minority individual(s)/firm(s) to carry out a single business enterprise for which purpose the individuals/firms combine their property, money, efforts, skills and/or knowledge.
- GG. "Manufacturer" means a person or firm engaged in the process of making, fabricating, constructing, forming or assembling a product(s) from raw, unfinished, semi-finished, finished, or recycled materials through a direct contract/agreement on behalf of the general contractor.

- HH. "Option to Renew" means a contract clause that allows a party to reinstate the contract for an additional term.
- II. "Person" means any business, individual, committee, club, other organization, or group of individuals.
- JJ. "Pre-Bid Conference" means a meeting held with prospective bidders prior to solicitation of or the date for receipt of bids or proposals, to recognize state of the art limits, technical aspects, specifications, and standards relative to the subject, and to elicit expertise and bidders' interest in pursuing the task.
- KK. "Professional Services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered land surveying, as defined by the State of Florida, or those performed by any architect, professional engineer, landscape architect, or registered land surveyor in connection with his professional employment or practice.
- LL. "Purchase Order" means that document used by Leon County to request that a contract be entered into for a specified need, and may include, but not be limited to, the technical description of the requested item, delivery schedule, transportation, criteria for evaluation, payment terms, and other specifications.
- MM. "Purchasing" means buying, procuring, renting, leasing, or otherwise acquiring any materials, supplies, services, construction, or equipment. It also includes all functions that pertain to the obtaining of any material, supplies, services, construction, and equipment, including description of specifications and requirements, selection and solicitation of resources, preparation and award of contract.
- NN. "Purchasing Director" means the Leon County employee duly authorized to enter into and administer contracts and make written determinations with respect thereto under the terms of the purchasing policies of the Board of County Commissioners.
- OO. "Purchasing Quotes" is the procurement procedure used to purchase commodities or contractual services with a value within the threshold amounts set for this category. Purchasing Quotes are conducted by the Purchasing Director or Purchasing Agents obtaining either written or oral quotations from two or more vendors, do not require a public bid opening, and are awarded by the Purchasing Director. Written evidence of all quotations must be maintained in the Purchasing Division.
- PP. "Recycled Content" means materials that have been recycled and are contained in the products or materials to be procured, including, but not limited to, paper, plastic, aluminum, glass, and composted materials. The term does not include internally generated scrap that is commonly used in industrial or manufacturing processes or waste or scrap purchased from another manufacturer who manufactures the same or a closely related product.
- QQ. "Regulation" means a statement by the Board of County Commissioners having general or particular applicability and future effect, designed to implement, interpret, or prescribe law, policy, or practice.
- RR. "Request for Proposals" means a written solicitation for sealed proposals with the title, date and hour of public opening designated. The request for proposals is used when the County is unable to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required, and when the County is requesting that a qualified offeror propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A request for proposals includes, but is not limited to, applicable laws and rules, functional or general specifications, statement of work, proposal instructions, and evaluation criteria. Request for proposals shall state the relative importance of price and any other evaluation criteria. Evaluation of a proposal, when such proposal is for "professional services" shall be in accordance with Florida Statutes Chapter 287.055.
- SS. "Responsible bidder or offeror" means a person who has the capability, in all respects, to perform

fully the contract requirements, and the integrity and reliability which will assure good faith performance.

- TT. "Responsive bidder" means a person who has submitted a bid which conforms in all material respects to the Invitation to Bid or the Request for Proposals.
- UU. "Services" means the furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than those which are not defined as supplies and which are merely incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.
- VV. "Small Purchases" means the procurement of commodities or services with a value within the thresholds set for this category without the requirement of quotes, bids, or public notice under procedures established by the Purchasing Division.
- WW. "Sole (Single) Source Purchases" means the purchase of a commodity, service, equipment, or construction item(s) from one available practical source of supply. A Sole (single) Source may be declared such by the Board of County Commissioners for reasons acceptable to it.
- XX. "Specification" means any description of the physical or functional characteristics of the nature of a material, supply, service, construction, or equipment item. It may include a description of any requirement for inspection, testing, recycled or degradable materials content, or preparing a material, supply, service, construction, or equipment item for delivery.
- YY. "Supplier" means a person or firm who engages in the selling of materials and supplies to contractors, subcontractors, and/or manufacturers for the purpose of constructing, repairing, altering, remodeling, adding to or subtracting from or improving any building, structure or property through a direct contract/agreement on behalf of the general contractor.
- ZZ. "Term Contract" means indefinite quantity contract whereby a contractor(s) agrees to furnish an item or items during a prescribed period of time (such as 3, 6, 9, 12 months or a specific date). The specified period of time or date completes such contract.
- AAA. "Tie (Identical) Bid" is when two or more bids are equal with respect to price and it appears that the quality and service offered by the vendors are otherwise comparable..

Section 4 AUTHORITY OF PURCHASING DIRECTOR

- A. The Purchasing Director shall serve as the central purchasing officer of Leon County.
- B. The Purchasing Director shall develop and administer operational procedures governing the internal functions of the Division of Purchasing.
- C. Except as otherwise specifically provided in this policy, the Purchasing Director, or his/her designee, shall, in accordance with regulations promulgated by the Board of County Commissioners:
 - (1) Purchase or supervise the purchase of all supplies, services, materials, equipment, and construction services defined within the scope of this policy.
 - (2) Operate a central warehouse for the purchasing, in bulk, of items which may be more economically bought and distributed than when purchased on an individual basis; and to provide facilities for storage of critically needed supplies.
- D. Upon the prior approval of the Leon County Director of Management Services, the Purchasing Director may delegate authority to designee(s) as allowed by law or rule.
- E. The Purchasing Director shall assist the Minority Business Enterprise Coordinator, implement, monitor, and enforce the County's Minority Business Enterprise program policy.

Section 5 PURCHASING CATEGORIES; THRESHOLD AMOUNTS

A.	Petty Cash/Reimbursement (Section 5.01)	Not to exceed \$50
B.	Field Purchase Order (Section 5.02)	\$1 to \$200
C.	Small Purchase Procedures (Section 5.03)	\$1 to \$500
D.	Blanket Purchase Orders (Section 5.04)	
	non-contractual basis	\$201 to \$2,000
	contractual basis	not to exceed \$50,000
E.	Field Quotes (Section 5.05)	\$501 to \$5,000
F.	Purchasing Quotes (Section 5.06)	\$5,001 to \$10,000
G.	Informal Bid Process (Section 5.07)	\$10,001 to \$20,000
H.	Competitive Sealed Bids (Section 5.08)	\$20,001 and above
I.	Competitive Sealed Proposals (Section 5.09)	
	Approved by County Administrator	\$10,001 and above
	Approved by the Board	\$20,000 and above

Section 5.01 PETTY CASH/REIMBURSEMENT

- A. Petty cash funds shall be established and administered under the financial policies of the Board.
- B. Purchases from any petty cash fund or the reimbursement for a purchase shall be governed by the following requirements:
 - (1) No purchase of any single item from any petty cash fund or for reimbursement shall exceed the authorized dollar limit for petty cash/reimbursements in Section 5.
 - (2) Reimbursement for employee travel expenses from a petty cash fund shall not be allowed.
 - (3) Funds contained within a petty cash fund shall not be expended for the purchase of furniture, equipment, or the payment of salaries.
 - (4) Expenditures from a petty cash fund or personal funds shall be reimbursed, provided:
 - (a) They are supported by itemized vouchers, invoices, or receipts signed by the division or department head or designee.
 - (b) They qualify as a proper public purpose.
 - (c) They are expenses included within the approved annual budget of the division or department.

Section 5.02 FIELD PURCHASE ORDERS

- A. Field purchase orders shall be used for purchase of small, sundry items which cost not more than the threshold authorized for field purchase orders in Section 5. Field purchase orders shall be used for a single or aggregate purchase, but only for a single transaction.
- B. Field purchase orders shall not be combined to purchase any item which costs more than the approved threshold limit and shall not be used in the manner of or in lieu of a blanket purchase order.
- C. Field purchase orders shall be issued and authorized only by department and division heads.

Section 5.03 SMALL PURCHASES

The purchase of commodities, equipment and services which cost less than the threshold authorized in Section 5 does not require solicitation of quotes or bids. Small purchases shall be authorized by

Department or Division heads or their designees.

Section 5.04 BLANKET PURCHASE ORDERS

- A. Non-contractual Basis. No purchase order shall be issued for an amount greater than the limit established for a non-contractual blanket purchase order in Section 5 of this policy for the purchase of goods or services not under a contractual arrangement authorized under this purchasing policy or approved by the Board.
- B. Contractual Basis. No purchase order shall be issued for an amount greater than the limit established for a contractual blanket purchase order in Section 5 of this policy for the purchase of goods or services unless approved by the Board.

Section 5.05 FIELD QUOTES

The purchase of goods and services which cost within the range authorized for field quotes in Section 5 shall require competitive quotations from three or more vendors. The quotations may be obtained by the Department/Divisions. The Purchasing Director shall review the quotations and make the award or require additional quotations prior to award.

Section 5.06 PURCHASING QUOTES

The purchase of goods and services which cost within the range authorized for purchasing quotes in Section 5 shall require competitive quotations from three or more vendors. The quotations may be obtained by the operating department/division or the Purchasing Division and shall be reviewed and awarded by the Purchasing Director.

Section 5.07 INFORMAL BIDS

For purchases within the cost range authorized for informal bids in Section 5, the Purchasing Director shall secure, when possible, a minimum of three written quotations which shall be the result of written specifications transmitted orally, by mail, or by "fax". When such quotations are received by "fax," the purchasing agent will immediately seal and label the quotations until the time set for opening bids. In those instances where the securing of three quotations is not practicable, the Purchasing Director shall provide written justification of such. The quotations shall be reviewed and a written recommendation of award shall be prepared by the Purchasing Director for approval by the County Administrator.

Section 5.08 COMPETITIVE SEALED BIDDING

- A. *Conditions For Use. All contracts for purchases of a single item or aggregate in excess of the established base amount for competitive sealed bidding in Section 5 shall be awarded on the basis of sealed competitive bidding, except as provided in Section 5.09, Competitive Sealed Proposals.*
- B. *Invitation to Bid. An invitation to bid shall be issued and shall include specifications, all contractual terms and conditions, and the place, date, and time for opening or submittal. No later than five working days prior to the date for receipt of bids, a vendor shall make a written request to the County for interpretations or corrections of any ambiguity, inconsistency or error which the vendor may discover. All interpretations or corrections will be issued as addenda. The County will not be responsible for oral clarifications.*

No negotiations, decisions or actions shall be initiated or executed by the proposer as a result of any discussions with any County employee prior to the opening of proposals. Only those communications which are in writing from the County may be considered as a duly authorized expression on the behalf of the Board. Also, only communications from firms or individuals which are in writing and signed will be recognized by the Board as duly authorized expressions on behalf of proposers.

- (1) *Alternate(s). Alternate bids will not be considered unless authorized by and defined in the Special Conditions of the bid specifications.*
- (2) *Approved Equivalents. The County reserves the right to determine acceptance of item(s) as an approved equivalent. Bids which do not comply with stated requirements for equivalents in the bid conditions are subject to rejection. The procedure for acceptance of equivalents shall be included in the general conditions of the bid.*

- C. 1. *Public Notice. The solicitation of competitive bids or proposals for any county construction project that is projected to cost more than \$200,000 shall be publicly advertised at least once in a newspaper of general circulation in the county at least 21 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. The solicitation of competitive bids or proposals for any county construction project that is projected to cost more than \$500,000 shall be publicly advertised at least once in a newspaper of general circulation in the county at least 30 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. Bids or proposals shall be received and opened at the location, date, and time established in the bid or proposal advertisement. In cases of emergency, the procedures required in this section may be altered by the Board of County Commissioners in any manner that is reasonable under the emergency circumstances.*
2. *Changes to Public Notice. If the location, date, or time of the bid opening changes, written notice of the change must be given, as soon as practicable after the change is made, to all persons who are registered to receive any addenda to the plans and specifications.*
3. *A construction project may not be divided into more than one project for the purpose of evading the requirements in this section.*
4. *As used in this section, the term "emergency" means an unexpected turn of events that causes:*
(a) An immediate danger to the public health or safety;
(b) An immediate danger of loss of public or private property; or
(c) An interruption in the delivery of an essential governmental service.
- D. *Bid Opening. Bids shall be opened publicly. At least one representative from the Division of Purchasing shall open the bids in the presence of one or more witnesses at the time and place designated in the Invitation to Bid. The amount of each bid, and such other relevant information as may be deemed appropriate by the Purchasing Director, together with the name of each bidder, and all witnesses shall be recorded. The record (Bid Report) and each bid shall be open to public inspection.*
- E. *Bid Acceptance and Evaluation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the Invitation to Bid, which may include, but not be limited to criteria to determine acceptability such as: inspection, testing, quality, recycled or degradable materials content, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measured, such as discounts, transportation costs, and total or life cycle costs. No criteria may be used in bid evaluation that are not set forth in the Invitation to Bid, in regulations, or in this policy.*
- F. *Bid Agenda Item. The Bid Report shall be presented to the appropriate department or division head for review and recommendation. The department or division head shall prepare the recommendation as an agenda item for review by the Purchasing Director prior to submission to the County Administrator for review and approval. Upon approval, the County Administrator shall place the item on the agenda of the Board of County Commissioners.*
- G. *Correction or Withdrawal of Bids; Cancellation of Awards. Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written or telegraphic notice received in the office designated in the Invitation for Bids prior to the time set for bid opening. After bid opening, corrections in bids shall be permitted only to the extent that the bidder can show by clear and convincing evidence that a mistake of a non-judgmental character was made, the nature of the mistake, and the bid price actually intended. After bid opening, no changes in bid price or other provisions of bids prejudicial to the interest of the County or fair competition shall be permitted. In lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw his bid if:*
- (1) *the mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident;*
or
- (2) *the bidder submits evidence which clearly and convincingly demonstrates that a mistake was made. All decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the Purchasing Director and concurred with by the County Administrator.*
- H. *Multi-Step Sealed Bidding. When it is considered impractical to initially prepare a purchase description to support an award based on price, an invitation for bids or request for proposals may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable*

under the criteria set forth in the first solicitation.

- I. Award. The contract shall be awarded with reasonable promptness to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation to bid. The County reserves the right to waive any informality in bids and to make an award in whole or in part when either or both conditions are in the best interest of Leon County.*
- (1) Notice of Intended Award. The contract shall be awarded by purchase order or other written notice. Every procurement of contractual services shall be evidenced by a written agreement. Notice of the intended award, including rejection of some or all of bids received, may be given by posting the bid tabulations where the bids were opened, by telephone, by first class mail, or by certified United States mail, return receipt requested, whichever is specified in the bid solicitation. A vendor may request, in their bid submittal, a copy of the tabulation sheet to be mailed in a vendor provided, stamped self-addressed envelope for their record.*
- (2) Notice of Right to Protest. All notices of decision or intended decisions shall contain the statement: "Failure to file a protest within the time prescribed in Section 5.13 of the Purchasing Policy of the Leon County Board of County Commissioners, shall constitute a waiver of proceedings under that section of this Policy.*
- J. Cancellation of Invitations for Bids. An invitation for bids or other solicitation may be canceled, or any or all bids may be rejected in whole or in part when it is in the best interests of the County, as determined by the Board. Notice of cancellation shall be sent to all businesses solicited. The notice shall identify the solicitation, explain the reason for cancellation and, where appropriate, explain that an opportunity will be given to compete on any resolicitation or any future procurement of similar items.*
- K. Disqualification of Vendors. For any specific bid, vendors may be disqualified by the Purchasing Director for the following reasons:*
- (1) Failure to respond to bid invitation three consecutive times.*
- (2) Failure to update the information on file including address, project or service, or business description.*
- (3) Failure to perform according to contract provisions.*
- (4) Conviction in a court of law of any criminal offense in connection with the conduct of business.*
- (5) Clear and convincing evidence of a violation of any federal or state anti-trust law based on the submission of bids or proposals, or the awarding of contracts.*
- (6) Clear and convincing evidence that the vendor has attempted to give a Board employee a gratuity of any kind for the purpose of influencing a recommendation or decision in connection with any part of the Board's purchasing activity.*
- (7) Failure to execute a Public Entity Crimes Statement as required by Florida Statutes Chapter 287.133(3)(a).*
- (8) Other reasons deemed appropriate by the Board of County Commissioners.*
- L. No bids received. If no competitive bids or proposals for commodity or services purchases are received, the Purchasing Director may negotiate on the best terms and conditions. Award will be made by the Board.*

Section 5.09 COMPETITIVE SEALED PROPOSALS

Section 5.091 PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, AND LAND SURVEYING SERVICES

- A. Public Announcement. It is the policy of the County to publicly announce all requirements for professional architectural, engineering, landscape architectural, and land surveying services and to negotiate such contracts on the basis of demonstrated competence and qualifications at fair and reasonable prices. In the procurement of such services, the Purchasing Director may require firms to submit a statement of qualifications, performance data and other related information for the performance of*

professional services.

- (1) *Scope of Project Requirements. Prior to submission of the request for proposals for professional services as an agenda item for approval by the Board, the using agency or agencies for which the professional services are requested shall submit to the Purchasing Director written project requirements indicating the nature and scope of the professional services needed by the using agency or agencies, including but not limited to the following:*
 - (a) *the general purpose of the service or study;*
 - (b) *the objectives of the study or service;*
 - (c) *estimated period of time needed for the service or the study;*
 - (d) *the estimated cost of the service or study (where permissible by law);*
 - (e) *whether the proposed study or service would or would not duplicate any prior or existing study or service;*
 - (f) *list of current contracts or prior services or studies which are related to the proposed study or service; and*
 - (g) *the desired qualifications, listed in order of importance, of the person or firm applicable to the scope and nature of the services requested.*
- (2) *Review of Project Requirements. The Purchasing Director or his/her designee shall review the scope of project requirements and, if revisions of project requirements are warranted to best meet the needs of the County, copies of the revised project requirements shall be submitted to the user department for consideration prior to public distribution of the project requirements.*
- (3) *Distribution of Project Requirements. The Purchasing Director shall distribute the written project requirements to all persons on the mailing list who have indicated an interest in being considered for the performance of such professional services and to any other additional persons as the Purchasing Director or using agency deems desirable. The project requirements shall be accompanied by an invitation to such persons to submit an indication of interest in performing the required services, and by notification of the date and time when such indications of interest are due. Public notice shall be as provided in Section 5.08 (C).*
- (4) *Resolicitation. If the County receives indications of interest from less than three persons, the Purchasing Director may resolicit indications of interest from all persons previously solicited and from such additional persons as may seem advisable. However, if after reasonable efforts have determined that there exists little or no likelihood of additional responses, the Purchasing Director may proceed to consider those persons responding to the solicitation or resolicitation.*
- (5) *Modification Prohibition. After the publicized submission time and date, indications of interest shall not be modified or allowed to be modified in any manner except for correction of clerical errors or other similar minor irregularities as may be allowed by the Selection Committee (defined in Section 5.091B) prior to making its selection of those best qualified to be formally interviewed.*
- (6) *Reuse of Existing Plans. There shall be no public notice requirements or utilization of the selection process as provided in this section for projects in which the County is able to reuse existing plans from a prior project. However, public notice of any plans which are intended to be reused at some future time shall contain a statement which provides that the plans are subject to reuse.*
- (7) *Exemptions. This section shall not apply to a professional service contract for a project where the basic construction cost is estimated by the agency to be less than the threshold amount provided in s. 287.055, Florida Statutes, or for a planning or study activity when the fee for professional services is estimated by the agency to be less than the threshold amount provided in s. 287.055, Florida Statutes, or in cases of valid public emergency so certified by the County Administrator. This section shall not apply to any requirement for professional services if a continuing contract is in effect and a determination is made to utilize the continuing contract to obtain such services.*

B. Selection Committee Membership and Evaluation. Depending on the expected complexity and expense of the professional services to be contracted, the County Administrator or his/her designee shall determine whether a three member or five member selection committee will best serve the needs of the County.

- (1) *Three Member Committee Composition. Membership of a three-member selection committee shall be appointed by the County Administrator or his/her designee.*

- (2) *Five Member Committee Composition.* Membership of a five member selection committee shall be appointed by the County Administrator or his/her designee.
- (3) *Selection Committee Evaluation.* Only written responses of statements of qualifications, performance data, and other data received in the purchasing office by the publicized submission time and date shall be evaluated. Only those respondents who are determined to be best qualified based upon the evaluation of written responses and selected for formal interview may submit additional data. From among those persons evidencing, by timely submission of written responses, an interest in performing the services the Selection Committee shall:
- (a) prepare an alphabetical list of those persons determined by the Selection Committee to be qualified, interested and available; and
 - (b) designate no less than three persons on the alphabetical list considered by the Selection Committee to be best qualified to perform the work required.
- (4) *Short listing.* The best qualified respondents shall be based upon the Selection Committee's ability to differentiate qualifications applicable to the scope and nature of the services to be performed. The Selection Committee shall determine qualifications, interest and availability by reviewing the written responses that express an interest in performing the services, and by conducting formal interviews of no less than three selected respondents that are determined to be best qualified based upon the evaluation of written responses. The determinations may be based upon, but not limited to, the following considerations:
- (a) competence, including technical education and training, experience in the kind of project to be undertaken, availability of adequate personnel, equipment and facilities, the extent of repeat business of the persons, and where applicable, the relationship of construction cost estimates by the person to actual costs on previous projects;
 - (b) current work load;
 - (c) financial responsibility;
 - (d) ability to observe and advise whether plans and specifications are being complied with, where applicable;
 - (e) record of professional accomplishments;
 - (f) proximity to the project involved, if applicable;
 - (g) record of performance;
 - (h) ability to design an approach and work plan to meet the project requirements, where applicable; and
- (5) *Interviews and Board Approval.* After conducting the formal interviews, the Selection Committee shall list those respondents interviewed in order of preference based upon the considerations listed in subsection (4) above. The respondents so listed shall be considered to be the most qualified and shall be listed in order of preference starting at the top of the list. The list of best qualified persons shall be forwarded to the Board for approval prior to beginning contract negotiations. Negotiation sequence shall be based on the order of preference.
- C. *Negotiation Staff.* Contract negotiations shall be conducted by the County Administrator unless the County Administrator directs that negotiations be conducted by a Negotiation Committee.

- (1) *Negotiation Committee Membership.* Membership of the three member Negotiation Committee shall consist of:
- (a) the County Administrator, or the designee of the County Administrator who shall chair the committee,
 - (b) the head of the primary using department or agency, or his/her designee,
 - (c) the County Attorney or designee.
- (2) *Negotiation.* The County Administrator or the Negotiation Committee shall negotiate a contract with the firm considered to be the most qualified to provide the services at compensation and upon terms which the County Administrator or the Negotiation Committee determines to be fair and reasonable to the County. In making this decision, the County Administrator or the Negotiation Committee shall take into account the estimated value, the scope, the complexity, and the professional nature of the services to be rendered. Should the County Administrator or the Negotiation Committee be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, negotiations with that firm shall be formally terminated. The County Administrator or the Negotiation Committee shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the County Administrator or the Negotiation Committee shall formally terminate negotiations, and shall then undertake negotiations with the third most qualified firm. Should the County Administrator or the Negotiation Committee be unable to negotiate a satisfactory contract with any of the selected firms, the Selection

Committee shall select additional firms in order of their competence and qualifications, and the County Administrator or the Negotiation Committee shall continue negotiations in accordance with this Section until an agreement is reached or until a determination has been made not to contract for such services.

- (3) *Continuing Contracts. Nothing in this section (5.091) shall be construed to prohibit continuing contracts for professional services between a firm and the County.*

Section 5.092 OTHER COMPETITIVE SEALED PROPOSALS

- A. Conditions for Use.** When the Director of Purchasing determines that the use of competitive sealed bidding is either not practical or not advantageous to the County, a contract may be entered into by the use of competitive sealed proposals.
- B. Consultant's Competitive Negotiation Act.** Professional services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered land surveying, as defined under the Consultant's Competitive Negotiation Act (Section 287.055, Florida Statutes), shall be secured under the provisions of Section 5.091.
- C. Board Approval.** Proposals anticipated to exceed the threshold established in Section 5 for Competitive Sealed Proposals shall be approved by the Board of County Commissioners prior to solicitation.
- D. Public Notice.** Adequate public notice of the Request for Proposals shall be given in the same manner as provided in subsection 5.08C of this policy for competitive sealed bidding.
- E. Evaluation Factors.** The Request for Proposals shall state the relative importance of criteria outlined in the scope of services, fee proposal, and other evaluation.
- F. Proposal Cancellation or Postponement.** The Director of Purchasing may, prior to a proposal opening, elect to cancel or postpone the date and/or time for proposal opening or submission.
- G. Revisions and Discussions with Responsible Offerors.** Discussions may be conducted with responsible offerors who submit proposals determined to be qualified of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.
- H. Award.** Award shall be made to the lowest responsible offeror whose proposal is determined in writing to be the most advantageous to Leon County, taking into consideration the evaluation factors set forth in the Request for Proposals. No other factors or criteria shall be used in the evaluation criteria that is not included in the Request for Proposal.

Section 5.10 SOLE SOURCE PURCHASES

- A. Sole Source Certification.** A contract may be awarded for a supply, service, material, equipment or construction item(s) without competition when the Purchasing Director, with the concurrence of the Leon County Director of Management Services, certifies in writing, after conducting a good faith review of available sources, that there is only one available source for the required material, supply, service, equipment, or construction item(s). Such awards will be made within the authorized procurement limits. When a purchase exceeds the threshold amount for Board approval, the item will be placed on the agenda for Board approval and certification that the vendor has been determined to be a sole source.

- B. Additional Purchases from Certified Sole Source.** The Purchasing Director shall be authorized, after initial sole source certification, to make additional purchases from a sole source vendor for not less than one year or until such time as contrary evidence is presented regarding sole source eligibility, whichever period is less.

Section 5.11 EMERGENCY PURCHASES

- A. Authorization During Normal Business Hours.** In the case of emergencies which require the immediate purchase of goods, equipment or services, the County Administrator, Purchasing Director, Group Director, or his designee shall be empowered to secure such goods or services without competitive bidding when there exists: a threat to public health, welfare, or safety; natural unexpected events; accidents; or loss to the County under emergency conditions. In this event, all measures reasonably possible under the circumstances shall be taken to assure the maximum cost benefit to the County of the goods or services procured.
- B. Authorization Outside of Normal Business Hours.** A department or division head, during non-business hours, is authorized to make purchases without competitive bids, when an emergency arises and such purchases are necessary to protect the safety, health, welfare, or property of the County or any of its citizens.
- C. Documentation and Approval.** Documentation for emergency purchases pertaining to the above shall be submitted to the Purchasing Office on the standard emergency requisition form with a detailed explanation, and support material attached, if applicable, within ten (10) work days after the event occurred. Emergency purchases that exceed the competitive sealed bid threshold shall be ratified by the Board. Emergency purchases within the informal bid thresholds shall be approved by the County Administrator after-the-fact.

Section 5.12 COOPERATIVE PURCHASING

- A. State Contracts.** The Purchasing Director is authorized to purchase goods or services for any dollar amount from authorized vendors listed on the respective state contracts of the Florida Department of Management Services. Such purchases shall be made without competitive bids provided that funding has been appropriated and approved by the Board of County Commissioners in Department/Division accounts.
- B. Federal Supply Service.** The Purchasing Director is authorized to purchase goods or services for any dollar amount from authorized vendors listed on the respective Federal Supply Schedules issued by the Federal General Services Administration. Such purchases shall be made without competitive bids provided that funding has been appropriated and approved by the Board of County Commissioners in Department/Division accounts.
- C. Other Governmental Units.** The Purchasing Director shall have the authority to join with other units of government in cooperative purchasing ventures when the best interest of the County would be served thereby, and the same is in accordance with the County and State law. The Purchasing Director shall appropriately document such cooperative purchasing arrangements.

Section 5.13 BID PROTEST

- A. Right to Protest.** Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of contract may protest to the Board of County Commissioners. Protestors shall seek resolution of their complaints initially with the Purchasing

Director, and secondly with the County Administrator prior to protesting to the Board of County Commissioners.

- B. Filing a Protest.** Any person who is affected adversely by the decision or intended decision of the County shall file with the Purchasing Division a notice of protest in writing within 72 hours after the posting of the bid tabulation or after receipt of the notice of intended decision. The formal written protest must be filed within 10 calendar days after the date he/she filed the notice of protest. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings under this Section.

A written protest is filed with the County when it is delivered to and received by the Purchasing Division.

1. The notice of protest shall contain at a minimum: the name of the bidder; the bidder's address and phone number; the name of the bidder's representative to whom notices may be sent; the name and bid number of the solicitation; and, a brief factual summary of the basis of the protest.
 2. The formal written protest shall: identify the protestant and the solicitation involved; include a plain, clear statement of the grounds on which the protest is based; refer to the statutes, laws, ordinances, or other legal authorities which the protestant deems applicable to such grounds; and, specifically request the relief to which the protestant deems himself entitled by application of such authorities to such grounds. The protestant shall mail a copy of the notice of protest and the formal written protest to all parties to the procurement activity.
 3. Any person who files a formal written protest protesting a decision or intended decision for the award of a bid shall post with the Purchasing Division at the time of filing the formal written protest a bond payable to the Board of County Commissioners, Leon County, in an amount equal to 1 percent of the County's estimate of the total volume of the contract or \$5000, whichever is less. If after completion of the hearing process and any appellate court proceedings, the agency prevails, it shall recover all costs and charges which shall be included in the final order of judgement, excluding attorney's fees. Upon payment of such costs and charges by the person protesting the award, the bond shall be returned to him. If the person protesting the award prevails, he shall recover from the agency all costs and charges which shall be included in the final order of judgement, excluding attorney's fees.
- C. Settlement and Resolution.** The Director of Purchasing shall, within 14 calendar days of the formal written protest, attempt to resolve the protest prior to any proceedings arising from the position. The Purchasing Director is authorized to settle any protest regarding the solicitation or award of a County contract, prior to an appeal to the County Administrator, but may not settle any such protest or claim for consideration of \$10,000 or greater in value
- D. Protest Proceedings.** The decision of the Purchasing Director may be appealed to the County Administrator by the protestor by filing a formal written appeal with the Purchasing Director within 5 calendar days of receipt of the decision. The County Administrator shall conduct or designate another as a hearing officer to conduct a protest proceeding pursuant to the following procedures.

1. Protest Proceeding Procedures

- (a) The hearing officer shall give reasonable notice to all substantially affected persons or businesses. Otherwise petitions to intervene will be considered on their merits as received.
- (b) At or prior to the protest proceeding, the protestant may submit any written or physical materials, objects, statements, affidavits, and arguments which he/she deems relevant to the issues raised.
- (c) In the proceeding, the protestant, or his representative or counsel, may also

make an oral presentation of his evidence and arguments. However, neither direct nor cross examination of witnesses shall be permitted, although the hearing officer may make whatever inquiries he/she deems pertinent to a determination of the protest.

- (d) The judicial rules of evidence shall not apply and the hearing officer shall base his/her decision on such information given in the course of the proceeding upon which reasonable prudent persons rely in the conduct of their affairs.
- (e) Within seven (7) working days of the conclusion of the proceeding, the hearing officer shall render a decision which sets forth the terms and conditions of any settlement reached.
- (f) Any party may arrange for the proceedings to be stenographically recorded and shall bear the expense of such recording.

2. **Intervenor.** The participation of intervenors shall be governed by the terms of the order issued by the hearing officer in response to a petition to intervene.

3. **Time Limits.** The time limits in which protests must be filed as provided herein may be altered by specific provisions in the invitation for bids or request for proposals documents or upon the mutual written consent of the protestor and the County.

4. **Entitlement to Costs.** In no case will the protesting bidder or offeror be entitled to any costs incurred with the solicitation, including bid preparation costs and attorney's fees.

E. **Appeal to Board of County Commissioners.** The decision of the hearing officer may be appealed to the Board of County Commissioners by the protestor by filing a formal written appeal with the Purchasing Director within 5 calendar days of receipt of the decision. The Purchasing Director shall agenda the protest for the next regularly scheduled Board meeting and notify all parties to the procurement of the time and date of the meeting. The agenda item shall contain the record of the protest for action by the Board.

F. **Stay of Procurement During Protests.** In the event of a timely protest under Subsection A of this Section, the Purchasing Director shall not proceed further with the solicitation or award of the contract until all administrative remedies have been exhausted or until the County Administrator makes a written determination that the award of a contract without delay is necessary to protect the substantial interests of the County.

Section 5.14 CONTRACT CLAIMS

A. **Authority of the Purchasing Director to Settle Bid Protests and Contract Claims.** The Purchasing Director is authorized to settle any protest regarding the solicitation or award of a County contract, or any claim arising out of the performance of a County contract, prior to an appeal to the Board of County Commissioners or the commencement of an action in a court of competent jurisdiction, but may not settle any such protest or claim for consideration of \$10,000 or greater in value without the prior approval of the Board of County Commissioners.

B. **Decision of the Purchasing Director.** All claims by a contractor against the County relating to a contract, except bid protests, shall be submitted in writing to the Purchasing Director for a decision. The contractor may request a conference with the Purchasing Director on the claim. Claims include, without limitation, disputes arising under a contract, and those based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or rescission.

C. **Notice to the Contractor of the Purchasing Director's Decision.** The decision of the Purchasing Director shall be promptly issued in writing, and shall be immediately mailed or otherwise furnished to the contractor. The decision shall state the reasons for the decision

reached, and shall inform the contractor of his appeal rights under Subsection D of this Section.

- D. **Finality of Purchasing Director's Decision; Contractor's Right to Appeal.** The Purchasing Director's decision shall be final and conclusive unless, within ten calendar days from the date of receipt of the decision, the contractor files a notice of appeal with the Board of County Commissioners.
- E. **Failure to Render Timely Decision.** If the Purchasing Director does not issue a written decision regarding any contract controversy within fourteen calendar days after receipt of a written request for a final decision, or within such longer period as may be agreed upon between the parties, then the aggrieved party may proceed as if an adverse decision had been issued.

Section 5.15 REMEDIES FOR SOLICITATIONS OR AWARDS IN VIOLATION OF LAW

- A. **Prior to Bid Opening or Closing Date for Receipt of Proposals.** If prior to the bid opening or the closing date for receipt of proposals, the Purchasing Director, after consultation with the County Attorney, determines that a solicitation is in violation of federal, state, or local law or ordinance, then the solicitation shall be cancelled or revised to comply with applicable law.
- B. **Prior to Award.** If after bid opening or the closing date for receipt of proposals, but prior to the award of contract, the Purchasing Director, after consultation with the County Attorney, determines that a solicitation or a proposed award of a contract is in violation of federal, state, or municipal law or ordinance, then the solicitation or proposed award shall be cancelled.
- C. **After Award.** If, after award, the Purchasing Director, after consultation with the County Attorney, determines that a solicitation or award of a contract was in violation of applicable law or ordinance, then:
 - (1) if the person awarded the contract has not acted fraudulently or in bad faith:
 - (a) the contract may be ratified and affirmed, provided it is determined that doing so is in the best interest of the County; or
 - (b) the contract may be terminated and the person awarded the contract shall be compensated for the actual costs reasonably incurred under the contract, plus a reasonable profit, but excluding attorney's fees, prior to termination; or
 - (2) if the person awarded the contract has acted fraudulently or in bad faith the contract may be declared null and void or voidable, if such action is in the best interests of the County.

Section 6 CONTRACT ADMINISTRATION

Section 6.1 CONTRACT PROVISIONS

- A. **Standard Contract Clauses and Their Modification.** The Purchasing Director, after consultation with the County Attorney, may establish standard contract clauses for use in County contracts. However, the Purchasing Director may, upon consultation with the County Attorney, vary any such standard contract clauses for any particular contract.
- B. **Contract Clauses.** All County contracts for supplies, services, and construction shall include provisions necessary to define the responsibilities and rights of the parties to the contract. The Purchasing Director, after consultation with the County Attorney, may propose provisions appropriate for supply, service, or construction contracts, addressing

among others the following subjects:

- (1) the unilateral right of the County to order, in writing, changes in the work within the scope of the contract;
- (2) the unilateral right of the County to order, in writing, temporary stopping of the work or delaying performance that does not alter the scope of the contract;
- (3) variations occurring between estimated quantities or work in contract and actual quantities;
- (4) defective pricing;
- (5) time of performance and liquidated damages;
- (6) specified excuses for delay or nonperformance;
- (7) termination of the contract for default;
- (8) termination of the contract in whole or in part for the convenience of the County;
- (9) suspension of work on a construction project ordered by the County;
- (10) site conditions differing from those indicated in the contract, or ordinarily encountered, except that a differing site conditions clause need not be included in a contract:
 - (a) when the contract is negotiated;
 - (b) when the contractor provides the site or design;
 - (c) when the parties have otherwise agreed with respect to the risk of differing site conditions.
- (11) value engineering proposals

Section 6.2 PRICE ADJUSTMENTS

A. Methods of Price Adjustment. Adjustments in price during the term of a contract shall be computed in one or more of the following ways upon approval by the Board:

- (1) by agreement on a fixed price adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
- (2) by unit prices specified in the contract or subsequently agreed upon;
- (3) by the costs attributable to the events or situations under such clauses with adjustment of profit or fee, all as specified in the contract or subsequently agreed upon by the Board;
- (4) in such other manner as the contracting parties may mutually agree; or
- (5) in the absence of agreement by the parties, by a unilateral determination by the County of the costs attributable to the events or situations under such clauses with adjustment of profit or fee as computed by the County, subject to the provisions of this section.

B. Cost or Pricing Data Required. A contractor shall be required to submit cost or pricing data if any adjustment in contract price is subject to the provisions of this Section.

Section 6.3 CHANGE ORDERS/CONTRACT AMENDMENTS

- A. **Change Orders.** For change orders, whether a capital improvement or a consultant services project, the following limits shall apply:
- (1) The County Administrator is granted authority to approve, within budgeted funds, change orders not to exceed twenty thousand dollars (\$20,000).
 - (2) Change orders which exceed twenty thousand dollars (\$20,000) shall require approval of the Board of County Commissioners.
- B. **Contract Amendments.** Contract amendments, other than change orders, which provide for the alteration of specifications, delivery point, time, payments, quantity, or similar provisions of a contract without changing the scope of the project may be approved by an appropriate person based upon the dollar value of the amendment. The purchasing categories' thresholds designated in Sections 5 through 5.09 shall govern the appropriate level of approval.

Section 6.4 ASSIGNMENTS OF CONTRACTS

No agreement made pursuant to any section of this policy shall be assigned or sublet as a whole or in part without the written consent of the County nor shall the contractor assign any monies due or to become due to the contractor hereunder without the previous written consent of the County.

Section 6.5 RIGHT TO INSPECT PLANT

The County may, at its discretion, inspect the part of the plant or place of business of a contractor or any subcontractor which is related to the performance of any contract awarded, or to be awarded, by Leon County. The right expressed herein shall be included in all contracts or subcontracts that involve the performance of any work or service involving Leon County.

Section 7 RIGHTS OF BOARD OF COUNTY COMMISSIONERS

Nothing in this Policy shall be deemed to abrogate, annul, or limit the right of the Board, in the best interests of the County, to reject all bids received in response to a request, to determine in its sole discretion the responsiveness and responsibility of any bidder, to approve and authorize or to enter into any contract it deems necessary and desirable for the public welfare, or to vary the requirements of the Policy in any instance when desirable for the public good.

Section 8 COUNTY PROCUREMENT RECORDS

- A. **Procurement Files.** All determinations and other written records pertaining to the solicitation, award, or performance of a contract shall be maintained for the County in a contract appropriate files by the Purchasing Director.
- B. **Retention of Procurement Records.** All procurement records shall be retained and disposed of by the County in accordance with records retention guidelines and schedules established by the State of Florida.

Section 9 SPECIFICATIONS

Section 9.1 MAXIMUM PRACTICABLE COMPETITION

All specifications shall be drafted to promote overall economy and encourage competition in satisfying the County's needs and shall not be unduly restrictive. This policy applies to all specifications including, but not limited to, those prepared for the County by architects, engineers, designers, and draftsmen.

Section 9.2 USE OF BRAND NAME OR EQUIVALENT SPECIFICATIONS

- A. **Use. Brand name or equivalent specifications may be used when the Purchasing Director determines that:**
- (1) no other design, performance, or qualified product list is available;
 - (2) time does not permit the preparation of another form of purchase description, not including a brand name specification;
 - (3) the nature of the product or the nature of the County requirements makes use of a brand name or equivalent specification suitable for the procurement; or
 - (4) use of a brand name or equivalent specification is in the County's best interests.
- B. **Designation of Several Brand Names.** Brand name or equivalent specifications shall seek to designate three, or as many different brands as are practicable, as "or equivalent" references and shall further state that substantially equivalent products to those designated may be considered for award.
- C. **Required Characteristics.** Unless the purchasing agent determines that the essential characteristics of the brand names included in the specifications are commonly known in the industry or trade, brand name or equivalent specifications shall include a description of the particular design, functional, or performance characteristics required.
- D. **Nonrestrictive Use of Brand Name or Equivalent Specifications.** Where a brand name or equivalent specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance, and characteristics desired and is not intended to limit or restrict competition.
- E. **Determination of Equivalents.** Any prospective bidder may apply, in writing, for a pre-bid determination of equivalence by the Purchasing Director. If sufficient information is provided by the prospective bidder, the Purchasing Director may determine, in writing and prior to the bid opening time, that the proposed product would be equivalent to the brand name used in the solicitation.
- F. **Specifications of Equivalents Required for Bid Submittal.** Vendors proposing equivalent products must include in their bid submittal the manufacturer's specifications for those products. Brand names and model numbers are used for identification and reference purposes only.

Section 9.3 BRAND NAME SPECIFICATIONS

- A. **Use of Brand Name Specifications.** Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing Director makes a determination that only the identified brand name item or items will satisfy the County's needs.
- B. **Competition.** The Purchasing Director shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under Section 5.10, Sole Source Purchases.

Section 10 ETHICS IN PUBLIC CONTRACTING

Section 10.1 CRIMINAL PENALTIES

To the extent that violations of the ethical standards of conduct set forth in this Section constitute violations of the State Criminal Code they shall be punishable as provided therein. Such penalties

shall be in addition to civil sanctions set forth in this part.

Section 10.2 EMPLOYEE CONFLICT OF INTEREST

- A. Participation.** It shall be unethical for any County employee to participate directly or indirectly in a procurement contract when the County employee knows that:
- (1)** the County employee or any member of the County employee's immediate family (father, mother, brother, sister, child, grandparent, or grandchild of employee or spouse) has a financial interest pertaining to the procurement contract; or
 - (2)** any other person, business, or organization with whom the County employee or any member of a County employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement contract.
- B. Blind Trust.** A County employee or any member of a County employee's immediate family who holds a financial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest.

Section 10.3 CONTEMPORANEOUS EMPLOYMENT PROHIBITED

It shall be unethical for any County employee who is participating directly or indirectly in the procurement process to become or to be, while such a County employee, the employee of any person contracting with the County.

Section 10.4 USE OF CONFIDENTIAL INFORMATION

It shall be unethical for any employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

Section 10.5 WAIVERS FROM CONTEMPORANEOUS EMPLOYMENT PROHIBITION AND OTHER CONFLICTS OF INTEREST

The County Administrator may grant a waiver from the employee conflict of interest provision or the contemporaneous employment provision upon making a written determination that:

- A.** the contemporaneous employment or financial interest of the County employee has been publicly disclosed;
- B.** the County employee will be able to perform his procurement functions without actual or apparent bias or favoritism; and
- C.** the award will be in the best interest of the County.

Section 10.6 GRATUITIES AND KICKBACKS

- A. Gratuities.** It shall be unethical for any person to offer, give, or agree to give any County employee, or for any County employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or performing in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, subcontract, or to any solicitation or proposal therefor.
- B. Kickbacks.** It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher

tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

- C. **Contract Clause.** The prohibition against gratuities and kickbacks prescribed in this section shall be conspicuously set forth in every contract and solicitation therefor.

Section 10.7 SANCTIONS

- A. **Employee Sanctions.** Upon violation of the ethical standards by an employee, the County Administrator, Purchasing Director, or other appropriate authority may:

- (1) impose one or more appropriate disciplinary actions as defined in the County Personnel Rules and Regulations, up to and including termination of employment; and,
- (2) may request investigation and prosecution.

- B. **Nonemployee Sanctions.** The Board may impose any one or more of the following sanctions on a nonemployee for violation of the ethical standards:

- (1) written warnings;
- (2) termination of contracts; or
- (3) debarment or suspension as provided in Section 15.

Section 10.8 RECOVERY OF VALUE TRANSFERRED OR RECEIVED IN BREACH OF ETHICAL STANDARDS

- A. **General Provisions.** The value of anything being transferred or received in breach of the ethical standards of this policy by a County employee or a nonemployee may be recovered from both County employee and nonemployee.
- B. **Recovery of Kickbacks by the County.** Upon a showing that a subcontractor made a kickback to a prime contractor or a higher tier subcontractor in connection with the award of a subcontract or order thereunder, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract or order and ultimately borne by the County and will be recoverable hereunder from the recipient. In addition, that amount may also be recovered from the subcontractor making such kickback. Recovery from one offending party shall not preclude recovery from other offending parties.

Section 11 FEDERAL POLICY NOTICE

Section 11.1 PATENTS

If a contract involving research and development, experimental, or demonstration work is being funded in whole or in part by assistance from a federal agency, then the contract shall include the following provisions.

- A. **Notice to Contractor.** The contract shall give notice to the contractor of the applicable grantor agency requirements and regulations concerning reporting of, and rights to, any discovery or invention arising out of the contract.
- B. **Notice by Contractor.** The contract shall require the contractor to include a similar provision in all subcontracts involving research and development, experimental, or demonstration work.

Section 11.2 NOTICE OF FEDERAL PUBLIC POLICY REQUIREMENTS

- A. **Applicability.** If the contract is being funded in whole or in part by assistance from any federal agency, the contract is subject to one or more federal public policy requirements such as:
- (1) equal employment opportunity;
 - (2) affirmative action;
 - (3) fair labor standards;
 - (4) energy conservation;
 - (5) environmental protection; or
 - (6) other similar socio-economic programs.
- B. **Notice.** The Purchasing Director shall include in the contract all appropriate provisions giving the contractor notice of these requirements. Where applicable, the Purchasing Director shall include in the contract provisions the requirement that the contractor give a similar notice to all of its subcontractors.

Section 12 INSURANCE REQUIREMENTS

- A. **Minimum Requirements.** Contractor shall purchase and maintain such insurance as will protect it from claims under Workers' Compensation laws, disability benefit laws or other similar employee benefit plans; from claims or damages because of bodily injury, occupational sickness or disease or death of its employees and claims insured by usual personal injury liability coverage in amounts determined by the provisions of the Risk Management Policy.
- B. **Certificates of Insurance.** Certificates of Insurance acceptable to the County shall be filed with the Purchasing Division prior to the commencement of the work and periodically thereafter upon any renewals during the term of the contract.
- C. **Cancellation Clause.** These Certificates of Insurance shall contain a provision that coverage afforded under the policies will not be cancelled until at least thirty (30) days prior written notice has been given to the County. The cancellation clause should read as follows: "Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will mail thirty (30) days written notice to the certificate holder named herein."
- D. **Change of Insurance Requirements.** The Board of County Commissioners reserves the right to change the insurance requirements based on the project scope, or when determined in the best interest of the County.

Section 13 BONDS AND DEPOSITS

When any of the following bonds is (are) required, the bond(s) will be requested in the bid document. No work in connection with the fulfillment of a contract shall commence until the appropriate bond(s) is (are) accepted by the County.

Section 13.1 TYPES OF BONDS AND DEPOSITS:

- A. **Combination Payment and Performance Bond** - This type of bond is required for repairs, renovations, new construction, and other public works costing in excess of \$50,000. For projects less than that amount, it may be required at the discretion of the Purchasing Director with the approval of the County Administrator or his designee. When a payment and performance bond is required, the bond will be requested in the bid document. No work

in connection with the fulfillment of a contract shall commence until the payment and performance bond is accepted by the County.

- B. **Performance Bond** - For a project of an estimated value less than \$50,000, requirement of a performance bond will be at the discretion of the Purchasing Director with the approval of the County Administrator or his designee. For projects estimated to be \$50,000 or more, such bond will be required to insure that a contract is carried out in accordance with the applicable specifications and at the agreed contract price.
- C. **Payment and Material Bond** - For a project of an estimated value less than \$50,000, requirement of a payment and material bond will be at the discretion of the Purchasing Director with the approval of the County Administrator or his designee. For projects estimated to be \$50,000 or more, such bond will be required to protect the County from suits for non-payment of debts which might be incurred by a contractor's performance for the County.
- D. **Warranty Bonds** - At the discretion of the Purchasing Director, after consultation with user departments, a Warranty Bond may be required from a successful bidder to insure warranty provisions are fulfilled.
- E. **Guaranty of Good Faith Deposit (Bid Deposit)** - For projects estimated to be less than \$40,000, requirement of a bid bond will be at the discretion of the Purchasing Director with the approval of the County Administrator or his designee. For purchases where it is determined by the Purchasing Director to be in the best interest of the County, and projects estimated to be \$40,000 or more, bidders will be required to submit with their bid or proposal a guaranty of good faith deposit. When in the best interest of the County, it is recommended by the Purchasing Director and approved by the County Administrator or his designee, these requirements may be waived.
 - (1) **Return of Bond.** Such deposit may not be withdrawn until a specified time after the proposals are opened and awards made. The deposit of the bond shall be retained by the Finance Officer of the Board until the Purchasing Director is satisfied that the Contractor's obligations have been satisfactorily completed.
 - (2) **Substitutes.** In lieu of a surety bid bond, contractor may submit a certified check, cashier's check or treasurer's check, on any national or state bank. Such deposits shall be in the same percentage amounts as the bond. Such deposits shall be retained by the Finance Officer of the Board until all provisions of the contract have been complied with.
- F. **Irrevocable Letter of Credit.** Upon approval of the Purchasing Director, a contractor may present an Irrevocable Letter of Credit from a national or state chartered bank in lieu of any of the foregoing bonds for the same face value as required for the bond. The letter of credit shall be for a period of time not less than three months beyond the scheduled completion date of the purchase of the contracted services or materials.
- G. **Retention of Payments.** The County may require the payment for a project, or a portion thereof, be withheld until the project has been completed as a method of protecting the County's interest. Retention may also be used in lieu of the above listed bonds. The solicitation documents shall specifically state if retention of any portion or all of the payment for the project is to be done.

Section 13.2 AMOUNT OF BOND OR DEPOSIT

- A. **Amount of Bond.** Bonds or deposits which may be required shall normally be in the following amounts, except as provided in the following subsection B.
 - (1) **Performance Bond:** 100% of contract price.

- (2) **Payment Bond: 100% of contract price.**
 - (3) **Payment and Performance Bond: 100% of contract price.**
 - (4) **Guaranty of Good Faith Deposit (Bid Deposit or Bond): The bid deposit will be 5% of the price bid by the vendor.**
- B. Exceptions to Amount of Bond. Any of the above listed bonds may be required at another amount recommended by the Purchasing Director and approved by the County Administrator or his designee when in the best interest of the County.**

Section 13.3 PROCESSING OF BONDS AND DEPOSITS:

- A. Responsibility for Securing Bonds. The contractor shall be responsible for securing the bond. Any costs may be included in the contract price.**
- B. Licensure of Bonding Company. The company acting as surety for any bond issued shall be licensed to do business in the State of Florida.**
- C. Review of Bonds by County Attorney. Surety bonds furnished will be reviewed by the County Attorney, who shall either accept or reject it for the Board. All surety bonds accepted shall be forwarded to the Finance Officer of the Board by the Purchasing Director to be filed in the official records of the Board.**
- D. Failure to Provide Required Bond. In the event a contractor fails to provide an acceptable bond when required, within ten (10) days after notification, the County Attorney will be notified. Upon the recommendation of the County Attorney, the Board may declare the contract null and void, and retain in the account of Leon County any good faith deposits or guaranty which may have been submitted as liquidated damages under the terms of the solicitation.**
- E. Filing of Bonds. Bonds, when accepted, shall be forwarded to the Finance Officer of the Board and shall be filed with the applicable contract documents.**
- F. Deposits. Cash deposits (cashier's check, money orders, bank drafts, etc.) of all bidders shall be forwarded to the Finance Officer of the Board for deposit to the account of the Board of County Commissioners. Upon award of contract, the Purchasing Director or designee shall be responsible for approving the return of deposits to unsuccessful bidders.**
- G. Plans and Specification Deposit/Fees. The Purchasing Director is authorized to assess reasonable deposits and/or fees, not to exceed the cost of reproduction, for plans and specifications issued as a part of invitations for bids or requests for proposals. Deposits of all bidders for plans and specifications shall be forwarded to the Finance Officer of the Board for deposit to the account of the Board of County Commissioners. Upon award of contract, the Purchasing Director or designee shall be responsible for approving the return of refundable deposits to unsuccessful bidders. Fees are to be deposited into the account from which applicable reproduction costs are paid.**

Section 14 PAYMENT TO VENDORS

- A. Outright Purchases. Payment of invoices shall be made within thirty (30) days of receipt of invoice. All invoices shall be approved by the department or division head, or authorized designee and submitted to the Finance Officer of the Board for payment.**
- B. Contractual Purchases. Payment of invoices shall be made in accordance with the contract terms, conditions, and scopes of services being provided.**
- C. Prompt Payment Act. All payment to vendors shall also be in accordance with the amended "Prompt Payment Act", Chapter 89-297, Florida Statutes.**

Section 15 AUTHORIZATION TO DEBAR OR SUSPEND VENDOR(S)

- A. Suspension.** After consultation with the County Attorney, the Purchasing Director is authorized to suspend a person from consideration for award of contracts if there is probable cause to believe that the person has engaged in any activity which might lead to debarment. The suspension shall be for a period not to exceed three (3) months, and the Purchasing Director shall immediately inform the Board and provide notice to the affected person.
- B. Debarment.** After reasonable notice and a reasonable opportunity for the suspended person to be heard, the Board shall either disbar such person or terminate the suspension. The debarment should be for a period of not more than three (3) years.
- C. Causes for Debarment.** The causes for debarment include:
- (1)** entry of a plea of guilty, no contest, or nolo contendere to or conviction of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;
 - (2)** entry of a plea of guilty, no contest, or nolo contendere to or conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a County contractor;
 - (3)** entry of a plea of guilty, no contest, or nolo contendere to or conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;
 - (4)** violation of contract provisions, as set forth below, of a character which is regarded by the Board to be so serious as to justify debarment action:
 - (a)** deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
 - (b)** a recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment;
 - (5)** having been adjudicated guilty of any violation by the Leon County Contractor's Licensing Board, or the State of Florida Construction Industry Licensing Board within the past twelve (12) month period at the time of bid submittal;
 - (6)** having been adjudicated guilty by the Leon County Code Enforcement Board of any violation of an environmental ordinance within the past six (6) month period at the time of bid submittal; and
 - (7)** any other cause the Purchasing Director or Board determines to be so serious and compelling as to affect responsibility as a County contractor, including debarment by another governmental entity.
- D. Notice of Decision.** The Purchasing Director shall issue a written notice to the person of the decision to debar or suspend. The decision shall state the reasons for the action taken and inform the debarred or suspended person involved of his/her rights concerning judicial or administrative review. The written decision shall be mailed or otherwise furnished immediately to the debarred or suspended person.

Section 15.1 APPEAL OF DECISION TO DEBAR OR SUSPEND

The Board's decision to debar or suspend a person or business shall be final and conclusive, unless the debarred person commences a timely action in court in accordance with applicable law.

Section 16 PROCUREMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING PROGRAM

- A. It is the policy of the Board of County Commissioners to obtain commodities and services efficiently and effectively in free and open competition for the Community Development Block Grant Housing Program through the use of sound procurement practices. All County staff and other persons (subgrantees or contractors) with designated responsibility for the administration of CDBG award contracts are responsible for ensuring compliance with all applicable federal and state laws and regulations. These include but are not limited to: OMB Circular A-102, Attachment O; 24 CFR Part 85 Section 85.36; s. 287.055, Florida Statutes; s. 290.047, Florida Statutes; Chapter 9B-43, Florida Administrative Code and the Purchasing Policy of the Leon County Board of County Commissioners**
- B. The County Purchasing Policy shall govern the procurement of commodities and services for the Community Development Block Grant Housing Program except as provided in this section.**
- 1. All procurement of commodities or services in excess of \$500 shall require a written agreement embodying all provisions and conditions thereof.**
 - 2. All procurement of commodities or services in excess of \$500 and less than \$2,500 may be entered only after informal competition based on offers or quotes from not less than three (3) vendors.**
 - 3. Publication of public notice for invitations to bid or requests for proposals and notification of the solicitation through distribution to potential bidders or offerors shall be required for all procurement in excess of \$2,500. The timeframes in section 5.08 of this policy shall apply for the required public notice.**
 - 4. Except as may otherwise be provided by law, procurement awards shall be made only on the basis of requirements and evaluation factors related to the price or quality of the commodities or services or to the ability of the prospective supplier or contractor to perform under the agreement. In evaluating the ability of a prospective contractor to perform, the County shall at a minimum consider the prospective contractor's record of past performance under CDBG grants.**
 - 5. Nothing herein shall limit the County to except from the requirement of competition commodities and services available only from a single source (Section 5.10, Sole Source Purchases) or procurement from another unit of government (Section 5.12, Cooperative Purchasing).**

(Section 16 Adopted September 10, 1991)

Policy Adopted 8/14/90; Revised 9/10/91, 1/16/96

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY**

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**MINORITY BUSINESS ENTERPRISE
POLICY**

Minority Business Enterprise Policy

Minority Business Enterprise Policy
Adopted January 16, 1996 - Ammended January 20, 1998

**LEON COUNTY BOARD OF COUNTY COMMISSIONERS
MINORITY BUSINESS ENTERPRISE POLICY**

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**Minority Business Enterprise Policy
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MINORITY BUSINESS ENTERPRISE PARTICIPATION PROGRAM

Section 1 Purpose and Scope

The purpose of the Minority Business Enterprise Program is to enhance the participation of qualified minority and women-owned businesses in providing goods and services and construction contracts required by the Board of County Commissioners. This program describes procedures to accomplish this purpose and to monitor and evaluate progress. All Departments and Divisions under the jurisdiction of the Leon County Board of County Commissioners are responsible for implementing this program. The scope of this program shall include:

1. Identify and work to eliminate barriers that inhibit M/WBE participation in Leon County's procurement process.
2. Establish realistic goals to increase M/WBE utilization.
3. Provide information and assistance to M/WBEs regarding procurement opportunities with Leon County.
4. Implement mechanisms and procedures for monitoring M/WBE compliance by prime contractors and staff.
5. Implement mechanisms to evaluate the program's progress.

Section 2 Policy Statement

1. It is the policy of Leon County that the following percentages shall be established goals for M/WBE participation in Leon County's procurement process:

Construction: Professional Services:

Black:	..... 8.5 - 11.5%	..... Black:
2.0 - 3.0%		
Women:	..... 9.0%	.....
Women:	..... 6.0 - 8.0%	
Others:	..... 0.5%	..... Others:
3.0 - 4.5%		

Other Services: Materials and Supplies (Contracts):

Black:	..... 0.0%	..... Black:
6.0 - 8.5%		
Women:	..... 15.0 - 20.0%	.....
Women:	..... 9.5 - 13.0%	
Hispanic:	..... 15.0 - 20.0%	..... Others:
3.0 - 4.5%		
Others:	..... 18.0 - 24.5%	

Purchases:

Black:	..... 7.0 - 9.5%
Women:	..... 11.0 - 14.5%
Others:	..... 7.0 - 9.5%

2. All departments and divisions under the jurisdiction of the Board of County Commissioners are responsible for implementing this program and for making every reasonable effort to utilize MBEs and WBEs when opportunities are available.

The MBE Coordinator will take the lead role in the process by taking active steps to encourage full participation

of qualified capable, competent and competitive minority or women owned businesses. This will involve monitoring MBE participation levels and informing staff of MBE availability.

3. Regarding the implementation of this policy, it is the Board's intent to foster economic development in the Leon County area by establishing its MBE goals based on availability of minority and women-owned businesses located within Leon County as identified by the 1994 Leon County Disparity Study and subsequent revisions.
4. For contracts of \$100,000 or less, where there is a disparity of 1% or less between the bid of a 100% owned and operated minority business enterprise and the apparent lowest bid which is from a non-minority business enterprise, and all other purchasing requirements have been met, the contract may be awarded to the minority business enterprise to help achieve the County's goal. (Section B.4. adopted 5/14/91)

Section 3 Definitions

1. **Minority/Women Business Enterprise (M/WBE)** - a business that is owned and controlled by at least 51% by one or more minority persons (MBE) or by one or more women (WBE), and **whose management and daily operations are controlled by one or more such persons**. No business owned or controlled by a white female shall be considered a minority business for the purpose of this program if the ownership was brought about by transfer of ownership interest to the woman or women, other than by decent, **within three (3) years following the sale or transfer of ownership**. For the purpose of this program, all applicants for certification as a bona fide M/WBE must be an independent business entity which provides a commercially useful function. No business owned and controlled by a white male and transferred or sold to a minority or woman/women, for the purpose of participation in the County's M/WBE Program, shall be considered eligible for M/WBE Certification.
2. **Minority Person** - an individual who is a citizen of the United States or a lawfully admitted permanent resident and who is a(n):
 - a. **African/Black Americans** - All persons having origins in any of the Black African racial groups not of Hispanic origins and having community identification as such.
 - b. **Hispanic Americans** - All persons (Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race) reared in a Hispanic environment and whose surname is Hispanic and having community identification as such.
 - c. **Asian American** - All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands and having community identification as such.
 - d. **American Indians, Alaskan Natives and American Aleuts** - All persons having origins in any of the original people of North America, maintaining identifiable tribal affiliations through membership and participation and having community identification as such.
 - e. **Women-** American Woman
3. **Construction** - the building, attaining, repairing, improving, or demolishing any public Structure or building, or other public improvement of any kind to any public real property. It does not include routine operation, routine repair, or routine maintenance of existing buildings or facilities.
4. **Contract** - All types of Leon County agreements, regardless of what they may be called, for the purchase or disposal of supplies, services, materials, equipment or construction, and which name the terms and obligations of the business transaction.
5. **Contractor** - a person or firm who is having a contract with Leon County, not including employment contracts.
6. **County** - refers to Leon County, Florida.
7. **County Commission** - the elected governing body for Leon County, otherwise known as the Board of County

Commissioners.

8. **Good Faith Committee** - A standing committee whose purpose is to determine the validity of a vendor's good faith efforts as it relates to specified M/WBE participation for bids, RFPs and contracts.
9. **Joint Venture:**
 - (1) two or more persons/corporations combining their labor, resources, and expertise for a single undertaking. The profits and losses are shared equally or according to a contract. There is a common interest of purpose and each "partner" has the equal right to control of the operation or activity of the venture without an agreement to the contrary; or
 - (2) a combination of contractors performing a specific job in which business enterprises participate and share a percentage of the net profit or loss; or
 - (3) a joint business association of minority individual(s)/firm(s) as defined herein, and a non-minority individual(s)/firm(s) to carry out a single business enterprise for which purpose the individuals/firms combine their property, money, efforts, skills and/or knowledge.
10. **M/WBE Certification** - the verification of the authenticity of a minority or women-owned business enterprise to determine eligibility for participation in the County's M/WBE Program.
11. **M/WBE Goals** - the set percentages or dollar amount specified by a bid or an RFP for Minority and Women owned businesses' participation in the procurement of goods and services. These percentages and/or dollar amounts are based on available M/WBEs identified in the 1994 Leon County Disparity Study and any subsequent updates. M/WBE goals shall also apply to contracts, purchased and departmental budgets.
12. **MBE Front** - a business that intentionally and/or falsely holds itself out as a business with at least 51% ownership by a minority(ies) and/or is also managed by a minority(ies), when in fact it is not.
13. **Materials and Supplies** -the equipment and consumable items purchased in bulk, or a deliverable product. Examples of such include, but are not limited to: equipment and parts, chemicals, paper products, etc.
14. **Other Services** - any service that is labor intensive and not professional or construction related. Examples include, but are not limited to: maintenance services, janitorial services, lawn services, employment services, and printing services.
15. **Professional Services** - any service provided by a person or firm that is of a professional nature, with special licensing, educational degrees, and unusual or highly specialized expertise. Examples include, but are not limited to: Architectural/Engineering Services, Financial Services, Legal Services, Medical Services and Advertising/Marketing Services.
16. **Prime Contractor** - a person or firm who is qualified and responsible for the entire project contracted, usually relating to construction and/or renovation projects. The Prime Contractor may have one or more subcontractors involved in the project.
17. **Race-Neutral Programs**, (as it refers to the County M/WBE Program) - those programs and/or agencies whose purpose is to serve and assist businesses regardless of their race or gender. An example of this includes, but is not limited to: the Florida A&M University Small Business Development Center, the Small Business Administration,

the State of Florida Commission on Minority Economics and Business Development/Minority Business Advocacy and Assistance Office, and the Tallahassee Chamber of Commerce.

18. **Small Business Development Center** - an agency that is an extension of Florida A&M University. Its purpose is to provide assistance, training, advisement and guidance to small, women and minority owned businesses.
19. **Subcontractor** - a person or firm who performs part or parts of the contracted work of the prime contractor. This shall include, but not be limited to, the labor, materials and/or supplies, and professional services needed for a prime contractor to fulfill the obligations of a County contract.

Section 4 Administrative Responsibilities

The Minority Business Enterprise Coordinator will be responsible for the coordination of the Minority Business Enterprise Program and certification process.

1. Capital Improvement Projects

a. Project Review

The MBE Coordinator, a Purchasing representative and an appropriate department representative shall review each proposed project or bid to determine potential for utilization of MBE/WBEs and report their findings to the County Administrator. This review is based on known availability of capable MBE/WBEs in the area as it relates to the scope of the bid package and to propose ways in which a project might be broken down into subbids.

b. Pre-Bid Activity

- 1) Language regarding the Minority Business Enterprise Program will be inserted into bid specifications to assure that prospective bidders are aware of a requirement to make good faith efforts to utilize MBE/WBEs.
- 2) Registered MBE/WBEs, Minority Contractors Associations and other organizations for minority and women owned businesses will be notified in writing regarding pre-bid conferences where information on project scope and specifications will be presented, along with other types of technical assistance.
- 3) Plans and specifications will be made available to the MBE Coordinator (along with any special instructions), by the Purchasing Division or originating department(s).
- 4) Majority (prime) contractors on a bid list will be sent a letter outlining the Minority Business Enterprise Program procedures, the supportive documentation required for submittal with their bid, and a list of MBE/WBE contractors on the bid list.
- 5) No contractor will be awarded a bid until the contractor has provided specific detailed documentation on how MBE/WBEs will be utilized, and the MBE participation plan is approved by the MBE Coordinator.
- 6) The MBE/WBE participation plan for a specific project and the contractor commitment to carry out the program will become a part of the contract awarded by the County. Failure to keep these commitments will be deemed as noncompliance with the contract and may result in a breach of the contract.

2. Contractor's Responsibilities

- a. Contractors must indicate all MBE/WBEs to be utilized, their percentage of utilization and their intended scope of work. This documentation must be submitted with their bid or RFP documents.
- b. A contractor who determines that an MBE/WBE named in the bid submittal(s), is unavailable or cannot perform, will request approval from the MBE Coordinator to name an acceptable alternate. Such requests will be approved when adequate documentation of cause for the change is presented by

the contractor to the MBE Coordinator.

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- c. A contractor's MBE/WBE participation plan will utilize MBE/WBEs to perform commercially useful functions in the work bid. An MBE/WBE is performing a commercially useful function when it is responsible for the management and performance of a distinct element of the total work.
- d. Contractors are required to make good faith efforts to obtain MBE/WBE participation when so stipulated by bid specifications and/or contracts. If these efforts are unsuccessful, the contractor will submit a non-availability or refusal to participate to the MBE Coordinator and will request a waiver of MBE/WBE participation. All M/WBE participation waiver request must be made prior to the bid opening date.
- e. The contractor who is the successful bidder will attend preconstruction conferences with appropriate County representatives to review the project scope and the MBE/WBE utilization plan.
- f. The contractor who is the successful bidder must request a change order for any modification to the MBE/WBE plan. Change orders may require Board approval and are contingent on contractor's documentation of MBE/WBE involvement in the change requested and documentation of cause for the change.

3. MBE/WBE Contractors' Responsibilities

- a. MBEs/WBEs must complete the MBE certification process managed by the Leon County MBE Coordinator in order to participate in the Leon County Minority Business Enterprise Program; or, MBEs/WBEs must be currently certified by the State of Florida, City of Tallahassee, the Florida Department of Transportation or the Leon County School District.
- b. MBEs/WBEs should attend preconstruction conferences to obtain information and technical assistance on projects and bid procedures in which they (MBE/WBEs) have submitted bids.

4. Joint Venture Responsibilities

- a. All joint ventures between minority and non-minority contractors must meet the "joint venture" definition included in this policy and the County's Purchasing Policy.
- b. The use by MBE/WBEs or prime contractors of "minority fronts" or other fraudulent practices which subvert the true meaning and spirit of the Minority Business Enterprise Program will not be tolerated and may result in termination of participation. (See the "Definition" Section as it relates to the definition of "Minority Fronts.")
- c. A joint venture consisting of minority and non-minority business enterprises will be credited with MBE/WBE participation on the basis of the percentage of the dollar amount of the work to be performed by the MBE/WBEs and any M/WBE subcontractors.
- d. Contracts subject to this policy shall contain provisions stating that liquidated damages may be assessed against the general contractor and/or the MBE/WBE firm for violations of this policy on MBE/WBE specifications in the contract(s). Such liquidated damage provisions shall be in a form approved by the County Commission.

Section 5 Fulfilling MBE/WBE Participation Requirements

For the purpose of this policy, a prime contractor may utilize the services of an MBE/WBE subcontractor, manufacturer, and/or supplier in estimating and satisfying the scope of work provided that a written contract/agreement is executed between the prime contractor and the M/WBE subcontractor, manufacturer, and/or the supplier.

Section 6 Payment

Payment will be made by the Leon County Board of Commissioners within thirty (30) days upon acceptance and approval of submitted invoices. The County will provide special consideration to

hardship cases upon notification given to the MBE Coordinator and/or Purchasing Director by the MBE/WBEs. Each contract or purchase order shall contain the payment schedule for the goods and/or services being provided.

The County will provide work progress payments to all businesses at the completion and subsequent acceptance by the Board representatives within various stages of a particular project.

Section 7 Waiver of Bid Bond Requirements

The Board may, in its discretion, may waive any bid bond requirement(s) when it is determined to be in the best interest of the County. Any waiver must be requested and approved in advance. (See the Leon County Purchasing Policy).

Section 8 Bid List

The vendor bid lists shall be as inclusive as is possible containing all M/WBE vendors certified by the Leon County MBE Coordinator as well as all other vendors registered with the Leon County Purchasing Division. Identification of vendors for specific bids shall be the joint responsibility of the MBE Coordinator and the Purchasing Director.

The MBE Coordinator shall be responsible in identifying M/WBE vendors for non-bid purchases for staff in the County departments and divisions.

1. The MBE Coordinator may remove MBE firms from the bid list for any of the following reasons:
 - a. Consistent failure to respond to bid invitations (three [3] consecutive instances).
 - b. Failure to update the information on file including address, product or service description or business description.
2. The County Commission may remove firms from the bid list for the following reasons:
 - a. Failure to perform according to contract provisions.
 - b. Conviction in a court of law of any criminal offense in connection with the conduct of business.
 - c. Clear and convincing evidence of a violation of any federal or state antitrust law based on the submission of bids or proposals or the awarding of contracts.
 - d. Clear and convincing evidence that the vendor has attempted to give a Board employee a gratuity of any kind for the purpose of influencing a recommendation or decision in connection with any part of the Board's purchasing activity.
 - e. Violation or circumvention of the Minority Business Enterprise Program.
 - f. Other reasons deemed appropriate by the Board of County Commission.
3. This policy is consistent with the Leon County Purchasing Policy. Wherever conflicts may exist, the provision in the Purchasing Policy will prevail.

Section 9 Right of Acceptance or Refusal

The County Commission shall reserve the option of accepting or rejecting any and all bids, with or without cause as deemed to be in the best interest of Leon County.

Section 10 MBE Citizens Advisory Committee

The Board of County Commissioners may establish an MBE Citizens Advisory Committee, and appoint persons to serve on the Committee at the pleasure of the Commission. The principle purpose of the MBE Committee is to monitor progress of the Minority Business Enterprise Program toward achievement of program performance goals as established by the Commission. Also the MBE Citizens Advisory Committee may be asked to provide MBE/WBE policy alternatives and/or review, and make recommendations seeking resolution of compliance complaints, as such involvement by the MBE Committee is deemed appropriate and is referred to by the County Commission. The size of the Committee and its responsibilities will be determined annually by the Commission.

Section 11 Reporting

A report, at least annually, shall be provided to the County Commission on the status of the Leon County Minority Business Enterprise Program. Records will be maintained by the MBE Coordinator reflecting participation of local minority and women owned businesses.

Section 12 Severability Clause

Each separate provision of this program is deemed independent of all other provisions herein so that if any provision or provisions be declared invalid, all other provisions hereof shall remain valid and in full force and effect.

Section 13 On Site Monitoring of M/WBE Utilization on County Projects

The MBE Coordinator may perform on-site monitoring of M/WBE utilization on County projects. Such monitoring may consist of scheduled or unscheduled visits to the project site. This does not exclude the monitoring by additional County staff in the performance of their regular duties.

Section 14 MBE Certification Process

The process for M/WBE certification is as follows:

1. Minority Vendor Application Package - Vendors requesting M/WBE Certification are sent a Minority Vendor Application Package containing an Instructional Cover Letter and a Minority Vendor Application. The Minority Vendor Application provides the MBE Office with information regarding the name and address of the company and its owner(s), the gender/race of the owner(s), and a listing of the type of commodities/services it provides. It also provides information regarding the vendor's work/contract history and past earnings.
2. Application Evaluation Period - Within thirty days of receipt, (by the MBE Coordinator), of the Vendor's Application and applicable attachments, it shall be reviewed, evaluated and a determination will be made as to whether the Vendor is certifiable.
3. Application Attachments - Documents such as "Proof of Ownership" with the applicant's name on it, a copy of the applicant's most recent pictured identification showing race and gender, the most recent financial statements for the company, as well as the other required documents listed on the application form, must accompany the completed and notarized application form. Copies of "MBE Certifications(s)" from other governmental agencies shall also to be included, where applicable.
4. M/WBE Certification Approvals/Denials
 - a. If the vendor is deemed certifiable, they will be notified of their M/WBE Certification Approval in writing by the Leon County MBE Coordinator. The vendor shall then be sent a letter of Certification, which indicates the expiration date of their certification. An M/WBE certification is valid for one year and must be renewed annually. The MBE office must be notified by the vendor of any changes in the company during the certification period. These changes may range from a change in ownership to a change in the types of services and/or commodities being provided. If changes occur during the

company's certification period, the Vendor's MBE certification status is reevaluated.

The MBE Coordinator reserves the right to reevaluate an MBE's certification at any time during the certification period.

- b. If the applicant is determined uncertifiable, based on information provided on the MBE application (including attachments) or as a result of the MBE Coordinator's investigation and research, the application for certification is temporally denied. The applicant is then notified of such in writing and denial of MBE certification. If the reason(s) for their temporary denial of MBE certification is not resolved and is found not to be in compliance with these MBE policies, the applicant's request for MBE certification is then officially denied.
 - c. An appeal of an MBE certification denial must be presented to the MBE Coordinator in writing within ten (10) working days after receipt of the certification denial letter. The applicant will again be notified of such in writing and advised of their right to appeal. An appeal of an MBE certification denial will be heard by the MBE Citizen Advisory Committee.
5. M/WBE Certification From Other Agencies - The County MBE Office officially recognizes and accepts the M/WBE Certification from the State of Florida, the City of Tallahassee, the Florida Department of Transportation and the Leon County School District.

Section 15 Good Faith Effort

- 1. When a prime contractor does not meet the stated M/WBE goals, it is the responsibility of the prime contractor to prove that they employed good faith efforts to obtain the stated M/WBE participation. Evidence supporting their good faith efforts must be provided to the MBE Coordinator within two (2) working days after the bid opening date and time. Documentation demonstrating their good faith efforts must include, but is not limited to the following:
 - a. When a prime contractor's M/WBE participation is less than 100% of the stated M/WBE goal(s), proof of M/WBE certification for the M/WBEs that are being used must be included with the bid documents and the good faith effort documentation.
 - b. Prime contractors must show proof of having advertised for bids from M/WBEs in non-minority and minority publications circulated in the Leon County, Florida area. A copy of the advertisement and proof of the date(s) it appeared in the publication must be included in the good faith effort documentation.
 - c. Prime contractors will prove that they provided ample time for M/WBE subcontractors to respond to bid opportunities. A chart outlining the schedule/time frame used to obtain bids from M/WBEs must be included with the good faith effort documentation.
 - d. Only contacts by the prime contractor with M/WBEs who provide the services needed for the contract will be considered evidence of good faith efforts. A list of all M/WBEs that were contacted must be included in the good faith efforts documentation. The prime contractor must also show proof that the MBE Coordinator was contacted regarding available M/WBEs and that M/WBEs recommended by the MBE Coordinator were contacted regarding their participation.
 - e. Prime contractors will show proof of follow-up telephone calls with potential /WBE subcontractors encouraging their participation. Telephone logs indicating such must be included with the good faith effort documentation.
 - f. Prime contractors will allow M/WBE subcontractors to review bid specifications, blue prints and all other bid/RFP related items at no charge to the M/WBEs. The prime contractor must allow sufficient time for such, thus allowing M/WBEs to participate effectively. Information regarding such must be included with the good faith effort documentation.

- g. Prime contractors will negotiate in good faith with interested M/WBEs, not rejecting an M/WBE as unqualified or unacceptable without sound reasons based on a thorough investigation of their capabilities. The basis for rejecting any M/WBE deemed unqualified or unacceptable by the prime contractor must be included in the good faith effort documentation. The prime contractor will not impose unrealistic conditions of performance on M/WBEs seeking subcontracting opportunities. The condition of performance expected of the M/WBEs by the prime contractor must be included with the good faith documentation.
- h. The prime contractor must include documentation indicating that they have contacted the MBE Coordinator regarding any problem meeting MBE goal(s) stated in the Bid/RFP.
- I. Prime contractors may include any other documentation further proving their good faith efforts with their bid documents.

2. Good Faith Committee

- a. The good faith efforts submitted by a prime contractor not meeting the M/WBE goal(s) shall be evaluated by a standing Good Faith Committee. This committee shall be chaired by the MBE Coordinator. Other members of the committee shall consist of the Purchasing Director or his or her designee, and a representative of the MBE Citizens Advisory Committee.

Any additions or deletions to this committee shall be at the discretion of the County Administrator or the County Administrator's designee.

- b. The Good Faith Committee shall make a formal determination of good faith made by bidders and prepare a written report of such as part of the bid analysis.

Section 16 Substitution of MBEs After Contract Award

The MBE Coordinator, with assistance from technical staff, is responsible for approving or disapproving the substitution of any M/WBE on a contract after an award. An M/WBE may be replaced by the MBE Coordinator with the provision that:

- 1. The Prime Contractor has provided the MBE Coordinator with documentation regarding the poor work performance level of the M/WBE in question.
- 2. The Prime Contractor has provided the MBE Coordinator with documentation regarding unsuccessful measures taken to improve the work performance level of the M/WBE in question.
- 3. The Prime Contractor has worked with the MBE Coordinator and County staff without success to improve the work performance level of the M/WBE in question. If the M/WBE's work performance level has not improved to the expected contractual level, MBE Coordinator will consult with the prime contractor and the County's technical staff regarding the approval and/or disapproval of an M/WBE substitute.

Section 17 Bond Waivers

Leon County's procurement process provides for specific levels of bond waivers. These levels shall be in accordance with Leon County's Purchasing (Bond Waivers) policies.

Section 18 Non-Compliance With MBE Policies

The following conditions will apply when there is noncompliance by contractors with the County's Minority Business

Enterprise Policies:

1. Assistance for Contractors - Meeting M/WBE Participation Requirements

MBE Coordinator will monitor the level of M/WBE utilization by prime contractors. If a contractor is having difficulties meeting the contractual MBE goal(s), the MBE Coordinator will help the contractor develop and implement corrective measures.

2. Penalties for Contractors Not Meeting Promised M/WBE Goals

If a contractor's M/WBE participation falls below that provided for in the contract for goods or services, the contractor shall be in breach of the contract. The MBE Coordinator shall investigate whether a breach of contract has indeed occurred. Upon a determination by the MBE Coordinator that a breach has occurred, all payments under the contract may be immediately suspended. The County's Attorney's Office shall be fully involved throughout this process. The findings and determination of the MBE Coordinator (in conjunction with the County's legal staff) shall be forwarded to the Good Faith Committee for a determination as to whether the contractor made a good faith effort to comply with the requirements of the contract.

The contractor will submit information in writing to the Good Faith Committee that the contractor attempted (through reasonable and objective means and in good faith) to meet the M/WBE participation goal established by the contract, but was unable to do so. If the Good Faith Committee determines that the contractor did not act in good faith, all amounts paid to the contractor under the contract, intended for expenditure with an M/WBE, shall be forfeited and recoverable by the County.

In addition, the contract may be rescinded and the County may return all goods received and recover all amounts paid under the contract. Resolution of good faith issues shall occur within the time frames specified in the Prompt Payment Act, Florida Statutes, Chapter 218, as amended.

Contractors that fail to comply with program and/or contractual requirements may face suspension from bidding on future Leon County contracts for a period of six months to one year, or longer, as recommended by the Good Faith Committee for action by the County Commission.

3. Penalties for Non-M/WBEs and M/WBEs that defraud the M/WBE Program.

Any vendor (M/WBE or Non-M/WBE) suspected of defrauding the County and/or M/WBE Program will be referred to the MBE Coordinator and the County Attorney's Office for review, investigation and possible legal action. Any monetary penalties imposed on the vendor found to have defrauded the County and/or M/WBE Program shall be in keeping with State and Federal Law.

Board of County Commissioners
Leon County, Florida

Policy No. 98-18

Title: Culverts in County Ditches
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: 93-30, Culverts in County Ditches, 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-30, entitled "Culverts in County Ditches" adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

No culvert shall be placed in any ditch or stormwater conveyance without a Driveway Permit or Stormwater Connection Permit approval by the County Public Works Department for stormwater facilities maintained by Public Works.

In the case of a County ditch (outfall ditch, drainage easement, etc.), the culvert may be installed either by an individual or, upon the request of the owner of the property adjacent to the ditch, such culvert shall be installed by the County at the expense of the property owner for the services and materials rendered. The owner will also be responsible for all expenses associated with design and environmental permitting, materials and inspections.

15.02
Board of County Commissioners
Leon County, Florida

.....
..... **Policy No. 98-19**

Title: Fill Material- Securement and Disposal: Private Property
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: 93-31, Fill Material - Securement and Disposal; Private Property; 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-31, entitled "Fill Material-Securement and Disposal: Private Property" adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

A. Securement

1. The material secured from a private source shall be donated to the County at no cost other than the cost of excavating and hauling and permitting.
2. The cost of excavating and hauling from a private source shall not exceed the cost of obtaining materials from a County pit.
3. The County may, if requested by the property owner, do such grading as is necessary to leave the site of excavation in an acceptable condition to the property owner. The cost of such grading shall be considered as a part of the cost of the excavation.
4. In the interest of economic prudence, the County may not accept fill material from a private source unless sufficient quantities needed for a given project are made available to the County.
5. A written agreement with the property owner shall be obtained stating the terms and conditions covering the excavation, and a waiver of any and all claims against the County and its employees shall be also be obtained.
6. Proposed excavation will not create a dangerous or hazardous condition.
7. Any permits necessary for excavation will be acquired prior to beginning work.

B. Disposal

1. Excess material may be disposed of upon private property when:
 - a. the expense of moving the excess material to a County disposal point exceeds the cost of disposal on private property;
 - b. there is no need of such material for other County projects;
 - c. a written waiver is obtained from the property owner for any and all claims against the County and its employees;
 - d. the property owner provides documentation from the Leon County Community Development Department/ Florida Department of Environmental Protection that it is permissible to place spoils on the property.

**Board of County Commissioners
Leon County, Florida**

Policy No. 95-2

Title: Flooded Property Acquisition Program

Date Adopted: April 25, 1995

Effective Date: April 25, 1997

Reference: F.S. 125.355

Policy Superseded:None

It shall be policy of the Board of County Commissioners of Leon County, Florida that:

Acquisition of structures located in flood hazard areas will be considered, along with other alternatives, for the purpose of determining if such acquisition can be an effective and more economical method of providing flood relief on a project specific basis.

However, this policy is not intended to alter the County's position in that the County has sovereign immunity against any claims in tort for negligence and trespass, and that as a policy making function, we also have no liability for the permitting of development nor for the placement of structures which might result in stormwater runoff.

1. Limitations

Structure acquisition will not be considered outside of a larger project analysis. The County will not acquire structures, or conduct acquisition evaluation studies, in response to individual complaints or requests from the owner of flood prone properties. The priority or ranking of projects and associated studies, will determine which projects are evaluated and structure acquisition will only be one aspect of the County Mast Plans or Basin Plans and the alternative that is chosen by the County. However if evidence indicates that the structure was built below the flood evaluation

despite knowledge of the flood potential then the County will not accept responsibility for purchasing the structure.

2. Decision Criteria

2.1 When evaluating projects the County will attempt to provide flood control for 25 year storms along the primary drainage conveyances. When such a level of service is not economically or otherwise reasonable, lower levels of service will be considered by exception. Lower levels of service are to be expected in localized areas off the primary conveyances.

2.2 Structure will only be used to implement a level of service (with respect to flood relief) which is consistent with current stormwater regulations. Current stormwater regulations allow construction in flood prone areas so long as the finished floor is above the 100 year flood elevation. As a result, structures will not be considered for acquisition for flood relief purposes, unless the finished floor is at risk of being inundated during a 25 year or smaller storm. Yard flooding, or water underneath a structure, is not a criterion for acquiring a structure unless other demonstrated public health and safety considerations such as continuous septic failure make the unit continually uninhabitable.

2.3 The determination of whether a structure is at risk of having its finished floor inundated during the 25-year or smaller storm will be made based upon actual prior occurrence or by hydrologic and hydraulic simulation. When the determination is to be made by simulation, depending on the flood stage sensitivity to characteristics specific to the basin and to the model, some structures which are not shown as actually being inundated, may be recommended for acquisition based on engineering judgment of the risk and the modeled results.

3. Implementation of Acquisitions

3.1 All acquisition efforts will be performed in a manner consistent with the Board of County Commissioners policies and Florida Statue

3.2 When proposed acquisitions are undertaken as part of a funded project, a definite period shall be clearly established for completion of the overall negotiation and acquisition effort. The length of this acquisition window shall be established by the Public Works Department in accordance with the size and complexity of the acquisition task. When the acquisition window expires, no additional properties shall be acquired other than those awaiting contract closure or resolution of some other legal process which was commenced prior to expiration of the acquisition window. The County will not offer flood relief to those owners not electing to take advantage of the opportunity to sell their flood prone property, and owner will forego additional flood relief.

3.3 Properties acquired through this program will be managed or disposed of consistent with the Board of County Commissioners policies. Generally the structures on such properties will be demolished and the sites restored to undeveloped conditions. Dependent upon the sale negotiated, the seller may move the structure from the site.

4. Floodproofing

4.1 If during the negotiations, an owner indicates an interest in floodproofing a structure, or if in the opinion of the Public Works Department it appears that flood proofing is a viable, cost effective, permanent and practically implementable solution, then such an alternative may be explored and offered to the owner in lieu of acquisition and removal of the structure.

4.2 When flood proofing is pursued the following guidelines will apply:

4.2.1 The owner of the property and County would agree to the cost of floodproofing the structure and owner would be solely responsible for the results achieved.

- 4.2.2 The owner would have to agree to have the work performed within a specified time period and payment would not be made until the work progressed. If the owner does not flood-proof the property, the County would make no payments.
- 4.2.3 The owner would have to grant to the County a flood easement to the County around the structure.
- 4.2.4 The owner would have to record a notice of the flood hazard in the title to the property to provide disclosure to subsequent buyers.
- 4.2.5 The County would have no further involvement with flood relief on the property.

Board of County Commissioners

Leon County, Florida

Policy No. 97-13

Title: CDBG Hazard Mitigation Grant Funds Program

Date Adopted: BCC: May 27, 1997; DCA: July 3, 1997
Effective Date: May 28, 1997

Reference: Public Law 103-327; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 49 CFR 24 and HUD Handbook 1378 (all as amended and waived by HUD subsequent to Public Law 103-327); 24 CFR 55; 24 CFR 85; and Uniform Standards of Professional Appraisal Practice

Policy Superseded: Policy No. 97-1, CDBG Hazard Mitigation Grant Funds Program Adopted February 25, 1997

It shall be the policy of the Board of County Commissioners of Leon County, Florida, to adhere to all applicable state and federal regulations concerning the use of the appropriated funds, and further that:

The Leon County Board of County Commissioners is committed to providing relief to the greatest possible number of property owners affected by the flooding of 1994, utilizing the special Community Development Block Grant (CDBG) funds appropriated by the U.S. Congress. The funds are administered by the Florida Department of Community Affairs (DCA) in accordance with the contract agreement with Leon County and the DCA policy document "Requirements for Hazard Mitigation Activities Conducted with Community Development Block Grant (CDBG) Funds Appropriated Pursuant to Public Law 103-327."

PROGRAM SCOPE:

The "Revised Final Statement of Objectives and Certifications" submitted by DCA to the U. S. Department of Housing and Urban Development in April 1995 specified the fund distribution for Leon County in accordance with the priorities set by the Board of County Commissioners on February 14, 1995. The projects to be funded include home acquisition, elevation, and flood proofing, and the Lake Munson Stormwater Management Project. Flood proofing will include access improvements, stormwater facility improvements on-site, and any other cost-effective alternatives which could minimize the need to remove residents.

LAKE MUNSON STORMWATER MANAGEMENT PROJECT:

The Lake Munson Stormwater Management Project will remove the sediment delta at the inflow of the lake and sediment upstream in Munson Slough, including the restoration of Lake Henrietta, to assist in flood control by increasing upstream storage and allowing greater manipulation of the lake level in advance of large storms. The project will include property acquisition and demolition (if necessary) along Munson Slough in addition to the sediment removal. Eminent domain powers can be used with the Lake Munson Stormwater Management Project, if necessary, to obtain sites for reconstructing Lake

Henrietta and disposing of spoil materials.

PROPERTY OWNER ASSISTANCE:

Direct assistance to property owners under the hazard mitigation program will be in accordance with the Florida DCA policies and procedures and applicable state and federal regulations for projects funded under the special congressional appropriation. Participation in the hazard mitigation program is voluntary. Property owners will not be required to sell or retrofit their property if they do not accept the offer made by Leon County, nor will Leon County be required to purchase property if flood proofing is feasible and cost-effective. Eminent domain powers will not be used with this portion of the hazard mitigation program.

Appeal Process:

Appeals regarding relocation benefits shall comply with HUD Handbook 1378 section 1-33. All other appeals/complaints will comply with the procedures outlined in chapter 12 of the DCA 1997 Implementation Manual.

Prioritization of Applications

Documentation of private property flooding damage during the 1994 events will be required for participation in the hazard mitigation program. Applications will be categorized first to identify private residences, rental units, businesses, and vacant land. Vacant lands that abut and are part of a residential property owner's land shall have the same priority as the parcel with the residential structure and shall be included in the offer to purchase with the land that contains the residence. Private residences will have priority over other land uses. Applicants who owned property during the 1994 floods will be considered for assistance before any applicant with property purchased after the 1994 flooding. Applications for assistance will be reviewed and ranked by County staff based on the following criteria:

Structure	Points
Repeat flooding of developed site -	5
Lot fully flooded -	4
Vacant property -	-1
Access blocked by flood waters for greater than 24 hours -	2
Water inside structure-	5
Structural damage caused by water standing against it -	3
Structure does not meet current building code -	3
Located in the 10-year flood-plain -	5
Located in the 25-year flood-plain -	3
Located in the 100-year flood-plain -	1
Septic tank inundated for greater than 24 hours -	1
Well contaminated for greater than 24 hours -	1
Permanent well contamination -	1

Household Make up:

Handicapped/Disabled -	3
Severe medical problems -	2
Elderly -	2
Low income -	3
Moderate income -	1

Once the ranking is complete, each property will be evaluated to determine the minimum level of assistance required to protect residents and maintain safe access.

Threshold Standards for Eligibility:

The focus of the hazard mitigation program will be addressing the need in the flood areas, rather than only buying-out residents to remove them from the floodplain. Removal of residents is the final option to be considered, after determining there are no technically feasible, cost-effective, and cost-reasonable alternatives to protect the structures. For flood proofing and on-site relocation, the structures will be evaluated to ensure compliance with current building codes. The cost of rehabilitation to comply with codes will be included when evaluating cost-effectiveness. The following minimum criteria must be met to qualify for the specified hazard mitigation activity:

Retrofit: A property will be considered for retrofit/elevation which contains a structure affected by the 1994 flooding to a minimal extent, where access can be reestablished within 14 days after a flooding event, and floodwaters do not remain longer than 14 days.

On-site Relocation: A property will be considered for relocation on-site which contains a structure affected by the 1994 flooding, sufficient land lies outside of the 100-year floodplain, and access to the property can be reestablished within 14 days after a flooding event.

Acquisition: A property will be considered for acquisition which contains a structure affected by the 1994 flooding, the property lies wholly within the 100-year floodplain, access cannot be reestablished within 14 days after a flooding event and no other flood proofing options are feasible or cost-effective. Sale of the property must be voluntary.

ACQUISITION:**Acquisition Compensation Guidelines:**

State requirements for acquisition provide that residents who owned the property during the 1994 floods will receive the "replacement cost new" for their homes. (This will not apply to business properties.) This is defined as "the cost of creating a building or improvement having the same or equivalent utility, on the basis of current prices and using current standards of material and design," and is intended to ensure that residents can afford to relocate from the floodplain after satisfying outstanding mortgages or other loans. Replacement cost will be based on the actual improvements on the site at the time of the 1994 floods. An example of this will be a residence appraised at \$35,000 pre-flood condition which would cost \$50,000 to replace with the same square footage and basic features. The property owner will receive \$50,000 as the value of their property, minus any outstanding loans, mortgages, or federal assistance, unless the SBA grants a waiver to allow for equity transfers to the newly purchased property. In the above scenario, if the "replacement cost new value" was \$50,000 and the property owner had an outstanding mortgage of \$20,000 and a Small Business Administration (SBA) loan in the amount of

\$10,000, the property owner would be offered \$20,000. **In accordance with Florida DCA policies, Leon County shall make no acquisition offer which exceeds the replacement cost new of the structure and improvements and the pre-flood market value of the land as approved or established by the review appraiser.**

However, in order to maximize the number of beneficiaries of this grant, since the low to moderate income requirements were waived, by Grant Amendment Number 1 on March 7, 1996, it shall be the policy of the Board of County Commissioners that if the “replacement cost new” value exceeds \$220,000 for retrofit or acquisition, the County will offer 80% of the “replacement cost new” value or \$220,000, whichever is greater.

The “replacement cost new” provision does not apply to property which was vacant within 180 days of the floods or was purchased after the floods. Property owners who purchased the property after the floods will receive the appraised pre-flood value of the structure, improvements, and land or the actual amount paid by the current owner for the damaged property, **whichever is less.** Property which was vacant or unused for the 180 days prior to July 1, 1994, shall be acquired at the appraised pre-flood value for the structure, improvements, and land.

Duplication of Federal Assistance Benefits:

Federal assistance provided to property owners during the flooding must be deducted from acquisition assistance provided under this program. Reductions are not required if the property owner can demonstrate that structural repairs were actually made. All Small Business Administration loans are required to be repaid at the time of closing on the property, unless the SBA grants a waiver to allow for equity transfers to the newly purchased property.

ACQUISITION GUIDELINES:

Decision to Acquire:

State	Occupant owns furniture									Occupant does not own furniture	
	Number of rooms of furniture								Each add. Room		
	1	2	3	4	5	6	7	8		1st Rm.	add. Rm
Florida	\$450	\$600	\$775	\$950	\$1,075	\$1,200	\$1,325	\$1,450	\$125	\$300	\$50

The owner and any tenant shall be notified with a Preliminary Acquisition Notice, if the County decides to purchase a property. The owner shall receive a written offer from the County, or its representative, and will then have 30 days to accept or decline the offer. If the property owner accepts the County’s offer to purchase, any real property not identified as salvage will then be considered property of Leon County for disposal as the County sees fit, in accordance with local, state, and federal regulations.

From the time the offer is made the owner will have 90 days to clear any title problems identified during the County’s title search. Once the property owner has decided to accept the written offer and can provide fee simple title to the County, they may request an advance of their relocation benefits to assist them in moving, provided the property owner submits the request in writing. The amount requested shall be based on either a commercial move where estimates are obtained from at least three professional moving companies, or scheduled (self) move based on the following moving cost schedule.

If funds are requested and advanced, the property owner must sign a purchase agreement stating that if they decide not to sell, any and all funds advanced to them will be repaid to the County within one week, or a lien will be placed against their property until the advanced funds are repaid.

Documentation of expenses must be submitted prior to closing, to allow for adjustments to be made at closing. The owner and any tenant will be required to vacate the premises prior to closing, per the DCA policy document "Requirements for Hazard Mitigation Activities Conducted with Community Development Block Grant (CDBG) Funds Appropriated Pursuant to Public Law 103-327."

Acquisition of Property subject to Easements/prescriptive rights:

Should the County acquire property that is subject to easements, the County will request that the easements be relocated when possible. Acquisition of property subject to prescriptive rights is allowed. The County will not prohibit present use of the property, but no improvements will be allowed.

Decisions Not to Acquire:

The owner shall be notified in writing if the County decides not to purchase a property any time after the Preliminary Acquisition Notice is sent. A written notification will be sent to the owner and any tenant occupying the property. This notice shall state the County's decision not to acquire the property. Any person moving from the property after the receipt of a "Notice Not to Acquire" will not be eligible for relocation payments and assistance.

For example, "A Notice Not to Acquire" would be sent if the property owner could not provide clear title to the County in the time allowed (**90 days from the written offer**). The property owner can file a written appeal/complaint.

ACQUISITION OF MOBILE HOMES:

The Leon County Board of Commissions has established a policy to consider occupied/unoccupied mobile homes as real or personal property, as defined by Florida Statutes. If the mobile home is purchased as real property, then all owners/occupants will be eligible to receive replacement housing assistance as prescribed in the CDBG Flood Hazard Mitigation Program's Optional Relocation Assistance Policy (ORAP). The tenant/occupant of the mobile home is eligible for rental assistance.

If the mobile home is classified as personal property, then all owners/occupants will not be eligible to receive replacement housing assistance as prescribed in the CDBG Flood Hazard Mitigation Program ORAP, they would only receive allowable moving expenses as described in HUD 1378 3-2. The tenant/occupant of the mobile home is eligible for rental assistance.

APPRAISALS

Appraisal Requirements:

Leon County will utilize the appraisal procedure outlined in the DCA guidance document section entitled "Method of Establishment of Just Compensation," summarized as follows. A State certified property appraiser shall establish an appraised value for each property designated for acquisition, elevation, or other retrofitting activities. The County shall procure a review appraiser (also State certified) to assess the methodological accuracy, standards used, mathematical calculations, and other factors relevant to the appraisal, including the replacement cost adequacy. If a property owner so

chooses, the property owner may procure an independent State certified property appraiser to conduct an appraisal, **at the property owner's expense**, which shall be submitted to the review appraiser for evaluation. If the property owner decides to procure an independent appraisal, they must notify the County in writing, within one week of the written offer. The property will have 30 days to procure and submit an independent appraisal to the County's review appraiser. Following the review appraisers final decision, the property owner will have one week to accept or decline the County's offer. Any decision to appeal the offer and procure an independent appraisal, will not be cause for an extension of the 90 days to clear title.

Appraisal Guidelines:

The owner of a real property improvement is permitted to retain it for removal from the project site. If this option is chosen, the property owner must identify the items at the time of the appraisal so that a value can be set for the items being removed. The items must be removed by the time of closing, unless other provisions have been made in writing with Leon County. The amount to be offered for the interest in the real property to be acquired shall be the difference between the amount determined to be just compensation for the owner's entire interest in the real property and the salvage value, as defined in HUD Handbook 1378 1-21, of the retained items. If the property owner decides to retain the entire structure, the County will follow the procedure outlined in paragraph K under "Acquisition Policies," in the DCA policy document "Requirements for Hazard Mitigation Activities Conducted With CDBG Funds Appropriated Pursuant to Public Law 103-327"

The Leon County Board of Commissions has established a policy to notify all affected landowners of their right to accompany the Fee Appraiser during the valuation process and specify any improvements to be retained. The Fee Appraiser will establish the Salvage Value of any improvement to be retained. The Salvaged item and the Salvage Value will be described in an attachment to the Purchase Agreement. The landowner will be required to remove the salvaged improvements from the acquired property at the vacate date. Only those items identified in the purchase agreement may be removed.

Confidentiality of Appraisal Reports:

The Leon County Board of Commissions has established a policy of confidentiality for Fee Appraisal Reports on all affected properties. The Board further states that the owner shall be given a written Summary Statement of Value along with the initial written purchase offer. At the owner's requests, the full appraisal report will be made available for their review.

Relocation Benefits for Owners and Tenants:

The Board of County Commissioners of Leon County adopted an Optional Relocation Assistance Program by Resolution 95-28 on November 14, 1995. The Program specifies the conditions for payment of permanent relocation assistance to owner-occupants and tenants affected by property acquisition or temporary relocation assistance to owner-occupants and tenants affected by flood proofing activities.

The Leon County Board of Commissions has established a policy to provide each displacee with a 90-day notice along with the notice of eligibility for relocation assistance or before being notified of the availability of a comparable replacement dwelling. The notice must specify the date by which the property must be vacated or if the date is unknown, indicate the earliest date that the displacee may be required to move. If no date is specified in the 90-day notice, the displacee must be informed that they will receive at least 30 days advance written notice of the specific date of the move.

On-Site Relocation or Flood proofing:

Each property will be evaluated by state licensed or registered professionals to determine the technical feasibility, cost-effectiveness, and cost reasonableness of retrofitting or relocating structures. Leon County shall certify to the Florida DCA that the following requirements are met.

- e. Retrofit or relocation must be technically feasible, and provide a permanent and practicably implementable solution to flooding.
- f. The cost to retrofit or relocate a structure must not exceed the sum of the pre-flood land value and 50 percent of the replacement cost new of the structure.
- g. The cost to retrofit or relocate a structure must be reasonable relative to the cost of those same activities which have been conducted recently in time and of comparable scope.

Leon County will utilize State certified or registered professional contractors to flood proof structures and abandon/reestablish wells and septic tanks.

Payment of Contractors:

Contracts of \$6,000 or less will not be paid until the contractor has completed the job and obtained a certificate of occupancy. Contracts in excess of that amount may be paid through partial payments upon completion of 60 percent or more of the work with a 20 percent retainage held until completion.

The approval of a partial payment requires the following documentation:

- 9. Approval of the work by the property owner;
- 10. Inspection and agreement by County staff;
- 11. An affidavit from the contractor stating that either (a) there are no claims for unpaid goods and services connected with the job and all laborers, suppliers and subcontractors have received just compensation for their work up to the date of the request; or (b) a list of all unpaid parties and the amounts owed to each with the payment request.

The approval of final payment requires:

- 1. Acceptance of all work by the property owner and the County;
- 2. Submission of all manufacturer's and other warranties;
- 3. Waivers of liens from all subcontractors, all parties who were unpaid when the contractor received partial payment, and any other party supplying notice;
- 4. A certificate of occupancy or final approval from the Building Inspector to show compliance of the rehabilitation with the locally adopted and other applicable codes;
- 5. Owner occupancy for a minimum of three days to have elapsed; and
- 6. An affidavit from the contractor stating that all bills have been paid and there are no claims for subcontracted jobs or materials.

If the owner refuses to authorize payment due to a dispute with the contractor, the Engineering Services Director may recommend disbursement without the owner's approval if the claim is shown to be without merit or inconsistent with the policies and goals of the hazard mitigation program. Such disbursement shall only be issued after the Engineering Services Director has reviewed the facts and circumstances involved in the dispute and has determined that the owner's refusal to issue payment is without just

cause. A record of all pertinent information shall be kept in the property owner's file. The owner's right to stop work, the settlement of disputes and the termination of the contract shall be as authorized in the Contract for Flood proofing.

After the completion of the contract, it is the owner's responsibility to notify the contractor in writing of any defect in the work or material. The owner is also requested to notify the Stormwater Engineering Section of any complaints so that assistance in follow-up can be provided. If the contractor does not respond to the owner's written complaint within a reasonable time frame and in a satisfactory manner, a representative of the Stormwater Engineering Section will verify the complaint. If, in his/her opinion the complaint is valid, he/she will send a written request for warranty service to the contractor via certified mail. The contractor will then take action as monitored by the Stormwater Engineering Section. Upon receiving notice from the owner that the complaint has been satisfied, a Stormwater Engineering representative will inspect the work and make such note in the case file. Failure to resolve complaints shall be justification for removing a contractor from participation in the hazard mitigation program.

Board of County Commissioners

Leon County, Florida

Policy No. 96-17

Title: CDBG Hazard Mitigation Program Citizen Participation Policy

Date Adopted: November 12, 1996

Effective Date: November 13, 1996

Reference: N/A

Policy Superseded: N/A

In order to promote citizen awareness and understanding of the County's Community Development Block Grant Flood Mitigation Program, and to comply with federal and state requirements for citizen input during the implementation of the Program, the County hereby adopts this Citizen Participation Policy for this specific grant project. This grant has been awarded to Leon County under an emergency appropriation which waived the requirement for a citizen advisory task force and a formal application process. The grant is currently being implemented, thus this policy is intended to address requirements for public participation only from this stage through completion of the grant.

I. Citizens Advisory Task Force

A citizens advisory task force is not required for this project, and will not be appointed. There has been citizen input into the Lake Munson restoration project for the past several years, and the property acquisition, relocation and elevation/retrofit program is underway under adopted policies for this grant.

II. Public Hearings

A public hearing will be conducted on the CDBG project each time the grant is significantly amended in scope (purpose, activities, accomplishments, location or beneficiaries) or in budget by 50% or more in any one line item or by more than 15% overall. Amendments which only change the schedule of accomplishments or grant close out date do not require a public hearing. At least five days advance notice of public hearings will be published in the Tallahassee Democrat and, at the County's discretion, by other methods in compliance with the County's policy on public notice. Additional public hearings may also be conducted at the County's option, with public notice similar to the notices required for the mandatory public hearings.

The hearings will be conducted at the Leon County Courthouse, which is accessible to disabled persons and centrally located within the County, in order to make the meetings accessible to potential or actual beneficiaries. There is not a significant non-English speaking population in Leon County, thus the hearings will be conducted in English, and all information will be provided in English (except for sign language if required to meet the needs of a disabled person who gives reasonable advance notice to the County of such needs).

III. Public Information

Any person may request access to information and records pertaining to the CDBG project, and will be provided reasonable and timely access in compliance with state and federal public records requirements. Copies of project records will be provided, upon request, at the standard fee established by the County for copies of public documents. Because this is an ongoing grant, there is no need to provide technical assistance to groups representative of low and moderate income persons who would wish to develop a proposal for project funding.

IV. Citizen Complaints

Local citizens or others with a legitimate interest in the CDBG grant may issue complaints regarding the grant to the Public Works Director (which, throughout this policy document, shall include the Director or his designee). Citizens will be provided the name, address, telephone number, and times for submitting complaints and grievances. The Public Works Director will be responsible for determining that the complaint is issued by a county resident, property owner, or other person, company or organization having a legitimate interest in the CDBG grant. If such determination is made, the Public Works Director will then be responsible for responding to the complaint within 15 working days, with a proposed resolution of the complaint, if reasonably possible. If a resolution of the complaint can not be made within 15 working days, the response will indicate the actions taken by the County, and future outcomes or actions to be taken. The County may dismiss complaints with a written response refuting the complaint if the County has evidence that the complaint is not valid.

If the County's initial response (and follow up, when required) does not resolve the complaint to the satisfaction of the complainant (who has standing), further action will be taken in an effort to resolve the issue. Depending upon the nature of the complaint, the issue will be readdressed by the Public Works Director or referred to the County Administrator, County Commission, or County Attorney. The County Commission shall have final authority to dismiss complaints if the complainant is requesting action which the County determines to be illegal, in conflict with applicable regulations or rules or grant conditions, inappropriate due to the stage in the project or cost of the requested action or other relative factor, or otherwise not in the best interest of the County or its residents, or if the complaint is without merit.

If a complaint is anonymous, it will not require investigation or receive a response. . All complaints must be reduced to writing and signed by the complainant. The County will not be obligated to consider complaints which the complainant refuses to reduce to writing and sign when submitting the complaint to the County. The Public Works Director will offer to assist the complainant in writing the complaint, if the complainant is unable to do so.

The County is also not obligated to investigate complaints regarding the CDBG grant made by persons, organizations or entities if the complainant does not have a legitimate interest in the CDBG program, such as through local citizenship or personal representation of a local citizen, performing or bidding/proposing goods or services of a CDBG funded contract, ownership of property, or ownership of or employment by a business in the jurisdiction. Complaints from persons without a legitimate interest in the project may be responded to by notifying the complainant that he/she does not have standing to complain, or the Public Works Director may choose to issue a more thorough response if he believes such action would be in the best interest of the County.

V. Additional Options

Nothing in this policy shall prohibit the County from allowing additional public participation in the CDBG project, nor shall this policy require the County to take any actions which the County determines to be illegal, unreasonable or otherwise in conflict with its legal, financial or moral obligations.

Nothing in this policy shall limit the legal rights of any party to request additional participation opportunities or to seek further remedy of grievance(s) through other methods available to them.

Board of County Commissioners
Leon County, Florida

Policy No. 92-1

Title: Parks Housing Policy

Date Adopted: March 10, 1992

Effective Date: March 11, 1992

Reference: Art. IV of Ch. 16, Leon County Code of Laws

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

Leon County shall provide employee housing at designated County park areas in accordance with the Park Housing procedures to:

- a. ensure the continuous protection and security of park visitors, the areas' natural resources, and the areas' facilities and equipment.
- b. provide readily available staff to handle after-hour emergencies and maintenance duties necessary to the orderly delivery of the recreational services.
- c. encourage the retention of qualified staff in certain parks where flex time or split work weeks are essential to employment.

Board of County Commissioners
Leon County, Florida

Policy No. 91-2

Title: Private Road Grading
Date Adopted: March 12, 1991
Effective Date: March 13, 1991
Reference: Sec. 16-3, Code of Laws
Policy Superseded: 77-1, "Road Grading," January 1977

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

Policy No. 77-1, entitled "Road Grading," adopted by the Board of County Commissioners in January 1977, is hereby repealed and superseded and a new policy hereby adopted in its place, to wit:

Leon County shall provide road grading services on private dirt roads. Such service shall not be construed as competition with private enterprise on the construction, reconstruction or stabilization of private dirt roads.

The fee for grading such roads shall be \$50 for a maximum of one hour of grading on private dirt roads within Leon County. Payment of fees for grading in excess of one hour shall not be accepted. Requests for periodic and regular grading, or payment of fees therefor, shall not be accepted.

All private roads shall be inspected prior to acceptance of the fee to ensure that road conditions are acceptable for grading. Private dirt roads shall be graded as time permits and only when County equipment is in the area of request. Priority shall be given to public roads.

Only blading of road surfaces shall be done. Ditch grading and back sloping are prohibited.

Fill material or other materials may not be hauled in and/or spread by the County for the purpose of repairing or stabilizing the road.

Board of County Commissioners
Leon County, Florida

Policy No. 80-8

Title:	Resurfacing - Bikeway/Sidewalk/Construction
Date Adopted:	September 9, 1980
Effective Date:	September 9, 1980
Reference:	n/a
Policy Superseded:	n/a

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

The construction of bikeways and/or sidewalks should be considered when designing resurfacing projects along County roads identified for such facilities in the Tallahassee-Leon County Bikeway and Pedestrian Plans.

The feasibility of such construction shall be based on, but not limited to, the following criteria:

- 1.Safety.
- 2.Availability of right-of-way; right-of-way will not be purchased.
- 3.Cost.
- 4.Current Bikeway/Sidewalk Design Standards.
- 5.Board of County Commissioners annual funding commitment for such construction.

Board of County Commissioners
Leon County, Florida

Policy No. 98-20

Title:	Rights-of-Way/Drainage Easements - Compensation for Granting
Date Adopted:	October 13, 1998
Effective Date:	October 13, 1998
Reference:	n/a
Policy Superseded:	Policy No. 93-32, "Rights-of -Way - Compensation for Granting", 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-32, "Right-of-Way," adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

In order to secure necessary rights-of-way/drainage easements, the County will, if requested, rebuild any existing fences, move any shrubbery which can be moved in the opinion of the right-of-way agent, and reconstruct any driveways which are in existence at the time the rights-of-way are secured where the County presently maintains a road and requires additional rights-of-way/drainage easements for the improvement thereof. Any conditions of accepting rights-of-way/drainage easements shall be put in writing and be kept on file in the office of the Leon County Public Works Department. Efforts to secure rights-of-way deeds/drainage easements on an unconditional basis are to be made, and deeds shall be recorded as soon as they are received by the County.

**Board of County Commissioners
Leon County, Florida**

Policy No. 98-21

Title: Rights-of-Way/Drainage Easements - Private Improvements
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: 93-33, Rights-of-Way - Private Improvements; 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-33, entitled "Rights-of-Way - Private Improvements" adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

No private signs or other improvements, such as fences, or structures of any kind, are allowed on any County right-of-way/drainage easements unless specifically authorized by the Board of County Commissioners after recommendations have been received from the Public Works Department, and then only in compliance with the law.

Where such improvements are placed without authorization, the Public Works Department will give appropriate notice to the owner to remove the improvements unless such removal is determined to be a safety hazard. Safety hazards will be removed immediately by the Public Works Department Division of Operations.

If removal is required by the County, the cost of removal shall be tracked on a bill submitted to the owner of the encroachment.

15.08
Board of County Commissioners
Leon County, Florida

Policy No. 98-22

Title: Public Notification of Road Closing
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: n/a
Policy Superseded: 93-34 Public Notification of Road Closing, 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-34, entitled "Public Notification of Road Closing," adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

A. Planned Closings

When any County road is to be completely closed to traffic because of maintenance, construction or planned events for 24 hours or longer, the following guidelines shall apply.

1. When the Public Works Director determines that it is in the best interest of safety to the general traveling public, a roadway shall be closed only upon the proper detour signing and barricading as per the latest Florida Department of Transportation Manual of Uniform Traffic Control Devices.
2. Seven (7) days prior to any planned roadway closing, a sign, erected by the contractor, stating the date of closing, shall be erected at the limits of the construction on the roadway and at the major intersections of all roads inside the limits of activity on roadway.
3. At least seven days prior to any planned roadway closing, to ensure the safety and welfare of the general traveling public, the contractor or utility provider to which the road closing has been granted, shall in form organizations on a list maintained by the County's Public Information Officer. Each organization will be advised by a letter which will provide all the necessary details of the planned construction. The letter shall be submitted to, and approved by, the Public Works Director prior to its release.

B. Unplanned or Unscheduled Maintenance and/or Emergency Closing (During or After Normal Duty Hours)

In case adequate notification of a road closing is not received by the Public Works Department, or if any emergency (during or after normal duty hours) causes a County road to be completely closed to traffic for any reason for 24 hours or longer, notification of such closing, including all detour routes, will be made by telephone, as soon as possible, to media organizations, the Public Works Director and the County Administrator.

Board of County Commissioners 15.09
Leon County, Florida

Policy No. 91-3

Title: Roadside Beautification
Date Adopted: May 21, 1991
Effective Date: May 22, 1991
Reference: N/A
Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

- A. Leon County shall provide a program of Roadside Beautification comprised of the following elements:
 - 1. Leon County "Adopt-a-Road Litter Removal."
 - 2. Leon County "Wildflower Planting."
 - 3. Leon County "Tree Bank Withdrawal."

- B. Leon County shall provide a Roadside Beautification Oversight Committee made up of: two members from the Division of Operations; two members from the Department of Growth and Environmental Management; one member from the Cooperative Extension Division.

- C. The Roadside Beautification Oversight Committee shall receive, evaluate, approve and prioritize the Wildflower and Tree Bank applications and monitor the Adopt-a-Road agreements using the following procedures:
 - 1. Leon County "Adopt-a-Road" Litter Removal Procedures.
 - 2. Leon County "Wildflower Planting" Procedures.
 - 3. Leon County "Tree Bank Withdrawal" Procedures.

Board of County Commissioners

Leon County, Florida

Policy No. 98-23

Title: Private Road Signing
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: Ordinance 95-21 Leon County/City of Tallahassee Uniform Street Naming and Property Numbering System Ordinance; Manual of Uniform Traffic Control Devices

Policy Superseded: 93-35, Private Road Signing , 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-35, entitled "Private Road Signing," adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Leon County shall install street names at all named street intersections in unincorporated Leon County in accordance with Ordinance 95-21.
2. Street/road names erected for private roads intersecting public streets/roads shall include a stop sign and a sign indicating that the street/road is not maintained by Leon County. "Dead-End"/"No-Outlet" signs may also be installed if warranted. Only street/road names shall be erected at private street/road intersections with private street/road intersections.
3. Costs for installation of signage on private streets/roads existing prior to the adoption of Ordinance 95-21 shall be borne by Leon County. Costs for installation of signage on private streets/roads developed after adoption of Ordinance 95-21 shall be borne by developer/property owner.
4. All street name sign applications shall conform to latest standards used by Leon County and in accordance with the Manual of Uniform Traffic Control Devices latest edition.

Board of County Commissioners
Leon County, Florida

Policy No. 98-24

Title:	Stormwater Facilities Maintenance
Date Adopted:	October 13, 1998
Effective Date:	October 13, 1998
Reference:	n/a
Policy Superseded:	93-36, Stormwater Facilities Maintenance, 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-36, entitled "Stormwater Facilities Maintenance," adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

Stormwater Facilities shall be maintained solely for drainage, mosquito control or other purposes directly related to the protection of public health, safety and/or welfare. In this regard, the Public Works Department shall be responsible for the maintenance of County Stormwater Facilities when, upon the determination of the Public Works Director, such maintenance is required due to the existence of vegetation, sedimentation or physical objects impeding the proper drainage functioning of the facility.

Stormwater Facilities shall not be maintained for aesthetic or other purposes not directly related to the public health, safety and/or welfare.

15.13
Board of County Commissioners
Leon County, Florida

Policy No. 98-30

Title: Stormwater Management Responsibility
Date Adopted: October 13, 1998
Effective Date: October 13, 1998
Reference: Ch. 388. F.S.
Policy Superseded: 93-37, Stormwater Management Responsibility; 1/12/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that Policy No. 93-37, entitled "Stormwater Management Responsibility" adopted by the Board of County Commissioners on January 12, 1993, is hereby repealed and superseded, and a new policy is hereby adopted in its place, to wit:

1. Leon County shall be responsible for diffuse surface flow only on property owned by the County and through the on-going enforcement of the Environmental Management Act as amended or as may be amended in the future. The reconciliation of any conflict that may arise between two or more property owners as a result of diffuse surface water flow generally is viewed by the courts as a civil matter. Leon County Government shall not expend public funds to physically construct or maintain improvements designed to relieve stormwater management problems created exclusively as a result of diffuse surface water flow, unless such improvements are located on county-owned property or are deemed by the Board as necessary, practical and in the public interest.
2. Leon County shall not be responsible for stormwater management facilities located on City, State, Federal, or privately owned property, rights-of-way or easements.
3. Those portions of the drainage system which do not offer legal public access or ownership cannot be included in maintenance or improvements projects or programs undertaken by the County, and the County shall not be directly responsible for such portions of the drainage system. However, whenever deemed practical or necessary by the Board, the County may seek to acquire ownership or rights of access within the drainage system for public maintenance or improvement purposes.
4. The County accepts responsibility for stormwater management facilities within platted and dedicated subdivisions, other easements or right-of-way owned by the County, and where the County has legal rights of ownership or access.
5. Nothing herein shall be construed to limit in any way the Mosquito Control Division of the Public Works Department from discharging its responsibilities pursuant to Chapter 388, Florida Statutes.

Board of County Commissioners
Leon County, Florida

Policy No. 83-3

Title: Disposition of Unclaimed Bodies

Date Adopted: June 14, 1983

Effective Date: June 14, 1983

Reference: Ch. 245.06, F.S.

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

1. When the County comes into possession of an unclaimed dead body, it shall:
 - a. make every reasonable effort to determine the identity of the body;
 - b. make every reasonable effort to contact any relatives of such deceased person, and
 - c. contact the Division of Universities of the Department of Education, unless such notification has been waived.
2. No such body shall be buried at County expense if:
 - a. the body is claimed by a relative of blood or marriage;
 - b. any friend or representative of a fraternal society of which the deceased was a member, or a representative of any charitable or religious organization, or a governmental agency which was providing residential care to the indigent persons at the time of death claims the body to bury at their expense; or
 - c. the deceased person was an honorably discharged member of the Armed Forces of the United States or the state, who served between the dates of April 6, 1917 and July 2, 1921; December 7, 1941 and September 2, 1945; June 25, 1950 and February 1, 1955; or August 4, 1964 and May 7, 1975, in which case the body shall be buried in accordance with the provisions of law for veterans.

3. If the body is an unclaimed indigent and is not a veteran, the County, no sooner than fourteen (14) days after coming into possession of the body, shall cause the body to be buried at public expense.
4. If the body is unclaimed, not a veteran, but not an indigent by County guidelines:
 - a. the County, no sooner than fourteen (14) days after coming into possession of the body, shall cause the body to be buried in the least costly but proper manner;
 - b. funds of the deceased shall be used to defray the costs of burial; and
 - c. any funds remaining after burial expenses shall be retained by the County for claim by a proper party for a period of one (1) year, after which time such funds will become the property of the County.
5. The times set forth in paragraphs 3 and 4 above shall be extended to no less than thirty (30) days in the event the body cannot be identified.

Board of County Commissioners
Leon County, Florida

Policy No. 96-11

Title: Down Payment Assistance Program

Date Adopted: June 25, 1996

Effective Date: June 25, 1996

Reference: Housing Element, Leon County Comprehensive Plan

Policy Superseded: 93-43, "Down Payment Assistance Program," 4/27/93

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that in order to implement the Housing Element of the Comprehensive Plan of Leon County and to further the programs of the Housing Finance Authority of Leon County, a Down Payment Assistant Program (DAP) is hereby created which shall be governed by the policies and procedures set forth below.

1. **OBJECTIVE:** To assist first-time home buyers, who are either very-low or low- income families, in meeting down payment, pre-pays, and closing costs. If a waiting list exists for DAP monies, program administrators shall first endeavor to assist very low, and then low-income families, with down payment assistance. If no waiting list exists, funds shall be disbursed on a first-come, first-served basis.
2. **ELIGIBILITY:** Very low- and low-income first-time home buyers, as defined by the Department of Housing and Urban Development. This definition includes: "any very low- or low-income family that has not owned a house within the last three years; or a family that includes a displaced homemaker or single parent (as defined by HUD); or any family that resides in manufactured housing not permanently affixed to the ground; or any homeowner who dwells in a substandard home not suitable for rehabilitation." Such families who are purchasing a home in the unincorporated areas of the County shall be eligible for services. Homes located inside the limits of the City of Tallahassee shall not be purchased with funds from the Down Payment Assistance Program.

3. DEFINITIONS: Very low-income families are those whose incomes are less than 50% of the median income of families residing in Leon County. Low income families are those between 50% and 80% of the median income of families residing in Leon County. In determining income eligibility, all assets excluding personal property shall be included according to the guidelines established by the U.S. HUD.
4. PURCHASE PRICE MAXIMUM: The purchase price of the home may not exceed the amount of funds for which very low- and low-income families can qualify for a first mortgage.
5. DAP LOANS: The DAP shall be a zero interest or non-amortizing second mortgage. The repayment of the second mortgage shall be deferred for the term of the first mortgage until "sooner of sale," transfer, or rental of the home, or refinancing, or satisfaction of the first mortgage. DAP loans are not assumable, except that heirs will not be required to pay off the second mortgage if they are also eligible for DAP assistance. Heirs who assume DAP loans shall be governed by all policies set forth herein. Under no circumstances will the down payment assistance second mortgage subordinate its position.
6. ADMINISTRATION: Applications to the County for DAP funds may be submitted by not-for-profit, or for-profit corporations on forms and according to procedures approved by the County. Once a candidate has qualified for a first mortgage and needs a DAP to consummate the purchase of a home, the above cited entities shall document the eligibility of and the need for DAP assistance, and the amount requested to the County. The County shall review the documentation and, if approved, remit funds to the applicant's closing agent who shall issue and administer the second mortgage.
7. DAP FUND USES: DAP funds can be used to defray down payment, prepaid, and closing costs. DAP funds may not be utilized for the purchase of a mobile home, but may be used to assist persons purchasing modular homes which comply with United States Department of Housing and Urban Development standards.
8. MAXIMUM AMOUNT OF ASSISTANCE: A DAP Loan may not exceed \$5,000.
9. BUYER'S FUNDS REQUIRED: At least 1.5% of the purchase price must be paid toward the down payment with buyer's funds.
10. HOME BUYER EDUCATION: All persons receiving down payment assistance shall be required to attend homebuyer education classes and evidence this by the presentation of a certificate of graduation. This certification must be received before the client will be considered eligible for funding.

**Board of County Commissioners
Leon County, Florida**

Policy No. 97-6

Title: Housing Reclamation

Date Adopted: May 27, 1997

Effective Date: May 27, 1997

Reference: N/A

Policies Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

Section 1 PURPOSE

Leon County has undertaken a housing program under the provisions of the Housing and Community Development Act of 1974 (Public Law 93-383).

The Housing and Community Development Act of 1974 requires compliance with the relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), and implementing regulations issued by the United States Department of Housing and Urban Development (HUD) (CFR Title 24, Part 42) when the acquisition of real property occurs.

The County wishes to provide a local policy covering the reclamation and reuse of houses acquired by the County to support the provision of affordable housing in the unincorporated area.

The County also wishes to provide limits for program operation.

Section 2 SELECTION OF UNITS FOR RECLAMATION

Units considered for reclamation shall include all housing units purchased by Leon County to further a public purpose such as drainage and right-of-way easements, flood control and construction of other public facilities. All units so acquired by the county shall be inspected and reviewed by the Housing and Human Services director or his or her designee using the following criteria defined in parentheses:

	<u>Yes</u>	<u>No</u>
1. Structural Integrity (will the structure be sound after being relocated)	_____	_____
2. Cost and Feasibility of Relocation (cost of relocation is less than cost of reconstruction)	_____	_____
3. Useful Life Remaining (If <five years, the structure will not be reclaimed)	_____	_____
4. Cost Estimate of Rehabilitation to Meet Code (The cost of rehabilitation, added to the cost of relocation must not exceed \$25,000 or fifty-percent of the after-rehabilitation value, whichever is less.)	_____	_____

Any structure for which there is a check in the “no” column will not be considered for reclamation.

Section 3 CRITERIA FOR MATCHING UNITS WITH ELIGIBLE CLIENTS

Units will be matched with families using the following factors.

Functional Adequacy

Number of bedrooms in proposed unit _____

Number of bathrooms in proposed unit _____

Number of persons in the family:

Married couples _____

Females over 18 _____

Females under 18 _____

Males over 18 _____

Males under 18 _____

Number of bedrooms needed in the house: _____

Number of bathrooms needed in the house: _____

Proximity to new site: _____

In case of tie or lack of an exact fit, the proximity to the new site will be used as the overriding criteria to assign homes to families.

Section 4 ELIGIBILITY CRITERIA AND PRIORITIZATION OF CLIENTS

In order to qualify for the reclamation program, clients may not qualify for the home replacement program or the down payment assistance program unless they have obtained a first mortgage on the home. Clients must be very low or low income and own their own land in the unincorporated portion of Leon County. The owner must possess and provide clear title to the property, although it may be jointly owned and the property may be mortgaged. Clear title is normally evidenced by warranty deed, probated estate or divorce settlement documents that are recorded in public records. Ownership through life estate or trust is also considered acceptable for program participation. Providing proof of title is an owner responsibility and expense.

If the property is owned jointly with persons who do not reside in the dwelling, the resident owner must obtain a notarized statement (the format to be provided by the county) from the nonresident owner(s) declaring that they:

- a. Do not reside in the dwelling, have not resided in the dwelling for at least one year prior to the statement (to avoid fraudulently denying that a person is a member of the household so the person's income is not included when determining household income eligibility), and will not reside in the dwelling for at least six months after completion of the rehabilitation.
- b. Will not interfere with the resident owner's occupancy of the dwelling nor attempt to obtain the resident owner's interest in the property during such occupancy as the primary residence.
- c. Will agree to execute the Deferred Payment Loan Agreement (DPL) with the owner occupant, which requires that the deferred payment loan principle must be repaid to the county in the event that the owner occupant ceases ownership or primary residency in the dwelling within five years of the date that the deferred payment loan is issued.
- d. Concur with the owner occupant's right to execute a contract(s) for rehabilitation work on the property.

Clients who have an outstanding deferred payment loan from the county program for rehabilitation can be awarded assistance under this program if that loan is \$5,000 or less. In determining feasibility for these units, the amount of the previous deferred payment loan will be added to the cost of reconstruction. The purpose of this provision is to permit the program to assist families who had minor or emergency repairs done to their homes in the past five years whose unit cannot be further rehabilitated.

Clients will be prioritized based upon their present living conditions as follows:

Present Living Conditions

The following factors determine the urgency of the client's present situation and will be used to rank candidates for priority status.

	<i>Yes</i>	<i>No</i>
■ Presence of approvable water supply	___	___
■ Indoor plumbing	___	___
■ Presence of sanitary septic system	___	___
■ Presence of electricity	___	___
■ Safe electrical system	___	___
■ Presence of a safe heating system	___	___
■ Safe/adequate roof	___	___
■ Presence of exterior doors	___	___
■ Windows present	___	___
■ Floors in safe condition	___	___
■ Ceiling in safe condition	___	___
■ Working stove or range with oven	___	___
■ Space for food preparation	___	___
■ Refrigerator	___	___
■ Flush toilet in enclosed room	___	___
■ Fixed basin or lavatory	___	___
■ Tub or shower	___	___

■	Adequate ventilation for cooking	_____	_____
■	Sanitary refuse disposal	_____	_____
■	No evidence of insect infestation	_____	_____
■	Good interior air quality	_____	_____
■	Exterior surfaces adequate to protect the interior walls	_____	_____
■	Foundation safety	_____	_____
■	Absence of lead paint	_____	_____
■	Absence of asbestos	_____	_____

Total number of “no” answers. _____

Priority for receipt of a house will be determined by the number of “no” answers to the factors listed above. In case of a tie, priority will be given to the individual/family with elderly member(s), dependent children and those with handicaps.

Section 5 REHABILITATION ASSISTANCE FOR RECLAIMED UNITS

Clients receiving reclaimed homes must qualify as very low or low income as determined by the United States Housing and Urban Development guidelines, as adjusted for family size and amended from time to time. Therefore, all clients will be eligible to receive rehabilitation assistance from one or more of the following available sources: the State Housing Initiatives Partnership Program (SHIP), the HOME Investments Partnerships Program or the Community Development Block Grant Program. All state, federal and local policies, rules and regulations pertaining thereto will become applicable. These include, but are not limited to 49 Code of Federal Regulations, Section 570.495; Chapter 9B-43, Florida Administrative Code; and Florida Small Cities Community Development Block Grant Program Act, Sections 290.0401--.049, Florida Statutes.

Rehabilitation assistance for reclaimed units shall include, but not be limited to:

- installation of the unit to the Southern Building Code standards including a foundation;
- hook-up of plumbing, including, if necessary, the installation of a well and septic system;
- any repairs necessary to bring the unit up to the Leon County Housing Code standards and HUD Section Eight Minimum Housing Quality Standards;
- connection to electrical service to National Electrical Code standards;
- costs to relocate the unit but **only if no other resources are available.**

Section 6 LIMITATIONS

No reclaimed homes shall be relocated in a one hundred year floodplain. All recipients must own the land upon which the reclaimed home is to be placed. All land upon which a reclaimed unit is to be placed must meet all concurrency standards, including legal access.

Board of County Commissioners

Leon County, Florida

Policy No. 81-3

Title: Human Service Grant Review Committee

Date Adopted: March 24, 1981, Amended: 5/11/81; 4/30/85; 12/16/86; and 12/8/87

Effective Date: March 24, 1981

Reference: N/A

Policy Superseded: N/A

It shall be the policy of the Board of County Commissioners of Leon County, Florida, that:

1. The purpose of the Human Services Grant Review Committee is to consider requests for funding submitted by local human service organizations and activities whose programs are designed to meet the needs of the Leon-Tallahassee area.
2. The Committee shall be responsible for reviewing and evaluating human service funding applications submitted to the Board of County Commissioners, and making recommendations with regard to the allocation of public funds for human service programming.
3. The Committee shall use a systematic and unified approach to review and evaluate human service programs and the allocation of funding for the services.
4. The Committee shall consist of fourteen (14) members, each appointed for two-year terms.
5. Each County Commissioner shall make two appointments to the Committee and shall appoint a replacement when a member is no longer able to serve on the Committee.
6. The Committee's funding application procedural process is as follows:
 - a. The Committee will consider requests for Human Service funding once a year, the timing of which will be in conformity with the County budgetary cycle and will allow for a sufficient review and evaluation period prior to final consideration by the Board.

6. Funding Application Procedural Process (Continued)
 - b. Applications will be submitted to the Staff Coordinator, by the deadline determined by the Committee earlier in the year, who will then provide the agency applications to the Committee members.
 - c. Either individually or through sub-committees, Committee members will be responsible for reviewing and evaluating their assigned agency's application, conducting a site visit to determine the merit of the application and agency, and subsequently, reporting these findings and making a recommendation to the Committee.
 - d. The Committee will provide an opportunity for each agency to make a presentation as to the merits of their funding request.
 - e. The Committee will then make written recommendations to the Board of County Commissioners, through the Staff coordinator. These recommendations will specifically address the overall merit of an agency's funding request in relation to other applications received.
7. Appeals to be considered by the Committee shall be limited to questions as to whether the Committee's funding application procedural process was followed correctly.
8. Appeals must be submitted in writing ten (10) days after the Committee's written recommendation has been sent to the agency and must include the statement of how the Committee's funding application procedural process was not followed correctly.
9. The Chairperson of the Committee shall determine whether the basis for the appeal submitted is in fact a question as to whether the Committee's funding application procedural process was followed correctly and therefore, whether the appeal will be considered by the Committee.
10. All uncommitted funds remaining in the Human Service account after the normal yearly cycle, and the subsequent appeals, will revert to the General Fund. The Human Service Grant Review Committee will be available to perform program evaluations, at the Board's request, to determine the merit of a funding request and the extent to which it meets Committee priority and assessment factors.
11. Exceptions to the consideration of requests for Human Service funding outside the yearly funding application process shall be limited to requests which meet all of the following criteria:
 - a. The agency submitting the request must be a recipient of Human Service funding for the fiscal year in which the request has been made.

11. Exceptions to Consideration - Criteria (Continued)
 - b. The program/project for which the request has been submitted must be in the process of being eliminated if County funding is not received.
 - c. The fact that the program/project would be eliminated must not have been evident prior to the application deadline for the yearly funding application process.
 - d. Receipt of the requested County funds must be sufficient to preserve the program/project.
 - e. The program/project for which the request has been submitted must have demonstrated community support, both prior support of the need for the service in the community and current financial support to assist in the preservation of the program/project.
12. The Board will refer potential exceptions to the yearly funding application process to the Human Service Grant Review Committee. The Committee will determine if all criteria required for consideration as an exception have been met. If all criteria are met, the Committee will evaluate the request and make a written recommendation to the Board of County Commissioners, applying the same priority and assessment factors as used for the yearly funding application process.